CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA
January 8, 2007

7:00 p.m. **Call to Order**

Public Service Announcements

Open Session

Approval of Minutes

- BOS Regular Meeting Minutes - December 4, 2006
- BOS Regular Meeting Minutes – December 18, 2006
- BOS Executive Session Minutes- December 18, 2006

Town Manager Appointments

- Cultural Council
- Constable Appointments
- Fourth of July Parade Committee

Scheduled Business

7:30 p.m. **Continuation: LIP Approval –** Hillside Gardens, 311 Littleton Rd.

7:45 p.m. **Continuation: Transfer of All Alcohol Common Victualer License -** Omega Pizza – 170 Concord Rd.

7:50 p.m. **Common Victualer License** – Little Peach, 210 Boston Rd.

7:55 p.m. **Continuation – Class II Auto Dealer's License - M&M Towing** – 85 Tyngsboro Rd.

8:00 p.m. **One-Day All Alcohol License** – St. Vartanantz Church, 180 Old Westford Rd

8:05 p.m. **BOS Vote to Continue: LIP Approval –** Westlands Commons, 194 Chelmsford – Vote to Continue

8:15 p.m. **Public Hearing - Petition to Place Pole – National Grid -** Subway Ave – Plan 1732383

8:20 p.m. **One-Day All Alcohol License -** Chelmsford Public Library – 25 Boston Rd

***** This meeting is televised. *****

Town Manager

- Reports

Unscheduled Business

Selectman Referrals

Executive Session

Next Regular Meeting: January 22, 2007

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TOWN OF CHELMSFORD
BOARD OF SELECTMEN MINUTES
Monday, January 8, 2007
50 Billerica Road, Town Offices

Attending:
Michael F. McCall, Selectman Chairman
Samuel Chase, Selectman Vice Chair
William F. Dalton, Selectman Clerk
Thomas A. Newcomb, Selectman
Philip M. Eliopoulos, Selectman
Paul Cohen, Town Manager

7:05pm
Chairman McCall called the meeting to order and noted that the Westland Common LIP agenda item would be continued to the January 22, 2007. Chairman McCall also announced that the Russell Road agenda item was also pulled as a result of a prior meeting with the residents involved.

PSA:

1. David Hedison, Director of the Chelmsford's Affordable Housing, stated that on January 16, 2007, the Chelmsford Housing Authority would have applications available for Princeton Commons. Mr. Hedison also noted that applications were available for the resale of home ownership. If there were questions Mr. Hedison asked residents to call.

Russell Road Update:
Selectman Eliopoulos updated the Board with regard to the January 5th meeting with the Russell Road residents who are attempting to clear up what they consider to be clouded titles to their property. Selectman Eliopoulos gave a brief history of the events that lead up to the meeting. Selectman Eliopoulos stated that there seemed to be a number of unfortunate miscommunications relative to the issue and further meetings were needed with residents and Town Counsel. Selectman Eliopoulos noted that the sentiment of the recent Town Meeting vote has not been disregarded by the Board. Selectman Chase stated that the issues involving clear title and ownership are not as apparent and simple as many people think and that the primary job of the Board is to do what is best for the Town. Selectman Chase added that the Board has a legal and fiduciary responsibility to protect the interests of all taxpayers including the Russell Road residents and the Board would continue to work through to try and resolve the issues. Selectman Eliopoulos stated that the he would meet with each individual resident (5) involved in the Russell Road land dispute. Selectman Eliopoulos asked the Chair for permission to continue, with Selectman Chase, on working with residents.

Open Session:

1. Mary Tiano, resident-1 Spruce Street commented on a quote by Selectman Eliopoulos in the Lowell Sun. Selectman Eliopoulos stated that his interest was the best interest of the Town. Ms. Tiano stated that the first mention of the issue

was at spring 06' Town Meeting and that the issue has become more complicated. Selectman Eliopoulos stated that the Board did not have to bring the article forward and that based on the recent meeting with Russell Road residents, it is now apparent that poor communication between residents and Town Hall has contributed to the current situation. Chairman McCall noted that the obligations of the Board had been met and there is further discussion occurring between residents and Town counsel. Ms. Tiano stated that Town Representatives were upset with the lack of communication.

2. Sam Poulten, Town Meeting Representative, expressed concern with the payment of taxes by the residents involved in the Russell Road issue. Chairman McCall stated that mistakes made on deeds is common. Mr. Poulten commented that progress had been made and the Board should adopt a position of "how can we do this".

3. Jodie O'Neil, Town Meeting Representative, asked if there was any intention to sell to another party besides the residents. Selectman Eliopoulos stated that there was no intention to sell to another party. Ms. O'Neil urged the Board to clear up the issue.

4. Paul Davis, resident-117 Steadman St. asked if the Westland LIP should now be required to follow the Boards new LIP policy. Selectman Eliopoulos stated that the Westland project would be held to the new guidelines.

Continuation-LIP Approval Hillside Garden, 311 Littleton Rd:

Paul Alphen, attorney for the Hillside Garden LIP, noted further modification of the site plan based on the Developer's desire to adhere to the spirit of the new Board LIP policy. Mr. Alphen stated that the number of units was decreased. Mr. Alphen stated that there was a new memo of understanding with the Chelmsford Housing Authority. Mr. Alphen stressed that the emergency access road via Chamberlain was eliminated from the plan, and that there would be no attempt to place an emergency access road.

Chris Lorane of LandTech addressed the Board and noted the changes on the new plan. Mr. Lorane stated that the elderly housing component has been eliminated. Mr. Lorane went on to describe the location of the new Town Houses, their height and the buffers. Selectman Eliopoulos expressed concern with Chamberlain Road becoming an access road. Mr. Alphen reiterated that Chamberlain Road was off of the site plan.

Abutters:

1. Christina Ingallina, resident- 23 Chamberlain Rd, stated that the new plan places a very large structure in front of her property. Ms. Ingallina asked if it were possible to turn the structures so that they were not towering over her home. Mr. Lorane stated that he could look into changing the plan. Selectman Eliopoulos stated that in the new plan it looked as if Ms. Ingallina was the most affected and that an effort should be made to shift the structures. Selectman Newcomb stated that the Board specifically requested that the Town Houses be moved away from

the lot lines. Mr. Lorane replied that the homes would be buried into the side of the hill lowering the height.

2. Joe Claremount, representing Christina Ingallina stated that the concern was the buildings were located on the site.

3. Joseline Demueth, resident- 24 Chamberlain Rd stated that when she addressed the Board in the past the residents came with three concerns; density, height and access. Ms. Demeuth stated that none of those issues have been resolved. Ms. Demeuth felt that a vote on this LIP would set a precedent in Town.

4. Barbara Bunn, resident 6 Chamberlain Rd. asked about the sewer capacity in Town for big developments such as the one being proposed.

5. David Hedison, Chelmsford Housing Authority Director, stated that the developer has shown a willingness to work with the Town. Mr. Hedison stressed the need for more elderly accessible housing in Town. Mr. Hedison warned that when the numbers of units are decreased so is the amount of affordable housing available. Mr. Hedison noted that this development was creating truly affordable housing. This location of the site was designated in the past as an appropriate place for affordable housing. Selectman Eliopoulos asked about making some housing age restricted. Mr. Hedison replied that the Town could not restrict age. Selectman Dalton asked what the profit percentage was for the project. Mr. Sheehan noted other projects in town with an average of a 20% profit margin.

6. Richard Hicks, resident- 24 Chamberlain Rd asked why the number of town houses seems to be increasing with each new site plan. Mr. Hicks stated that a Hostile 40B would be less dense. Mr. Hicks requested that the developer go back and readjust the plan.

7. Barbara Ballenger, resident-25Chamberlain Rd asked if 27 Chamberlain Rd was being taken out of the project. Mr. Alphen replied that it was taken off of the plan.

8. Andy Sheehan commented on the memo written to the Board and noted that the Board can approve the plan with specific conditions including no access on Chamberlain Rd. Selectman Newcomb asked if there had been any discussion with the fire department concerning an access road and suggested showing the site plan to the fire department. Mr. Alphen noted that there was nothing on record from the fire department. Selectman Dalton noted previous discussions about widening the Littleton Road entrance.

9. Paul Cerqua, resident- 21 Chamberlain Rd commented on his past discussions with the Board and noted the issues of blasting, an access road and density. Mr. Cerqua urged the Board to approve a better plan for the neighborhood.

10. Chris Headier stressed that there was no intention to use 27 Chamberlain Road as part of the project.

Motion: Selectman Chase made a motion to approve the Hillside Gardens 311 Littleton Road Local Initiative Program Application, as described on the preliminary site plan, conceptual Plan B-2 dated 12/29/06, and further described in Atty. Alphen's 12/29/06 Letter Re: Hillside Gardens LD, LLC, Local Initiative Program Proposal, subject to Applicant's receipt of DHCD's waiver relative to affordable unit Distribution within the project;

And further subject to the conditions that the Applicant will not seek emergency access via Chamberlain Road, nor via adjoining parcel No. 27;

And further, that the Plan be revised to re-orient buildings away from the Chamberlain Road entrance area as proposed;

And to have the fire department look at the site plan to widen the Littleton road entrance;

And finally that Board approval shall include the Board's written notification to the Zoning Board of Appeals informing them of this Board's concerns relative to establishing emergency access to the proposed Project."

Selectman Dalton seconded the motion.

Discussion:

Selectman Newcomb stated that the issues with the project were height and density and neither of those issues have been addressed. Selectman Chase noted that the contingencies in the motion were clear. Chairman McCall clarified for Mr. Lorane the conditions made in the motion. Selectman Newcomb commented on building the homes in the hill as a concern because it is not known what obstacles could be found in the hill. Selectman Newcomb added that he would like to see the plan submitted to the fire department. Selectman Eliopoulos stated that the developers were close to accommodating all parties involved and requested that the Board continue the hearing. Selectman Chase withdrew his motion and suggested that Selectman Newcomb work with Mr. Sheehan and the developers to work out the existing issues.

Motion: Selectman Chase made a motion continue the LIP Approval- Hillside Gardens, 311 Littleton Rd. until the February 5th; regular Board meeting. Selectman Dalton seconded the motion. Motion carried.

Chairman McCall called for a short break

Continuation-Transfer of All Alcohol Common Victualer License to Omega Pizza, 170 Concord Rd:

Motion: Selectman Chase made a motion to close the public hearing. Selectman Dalton seconded the motion. Motion carried.

Motion: Selectman Chase made a motion to approve the all alcoholic common Victualer license to Omega Pizza, located on 170 Concord Rd.; hours of operation weekdays 10:30am-11pm and Sundays 10:30am -11pm. Selectman Dalton seconded the motion. Motion carried.

Common Victualer License, Little Peach, 210 Boson Rd:

Michael Owen, representing Ismail Abboud requested a license, and a change of manager.

Motion: Selectman Chase made a motion approve the Common Victualer License to Little Peach #424 located at 210 Boston Rd; hours of operation weekdays 6am-11pm and Sundays 6am-11pm. Selectman Dalton seconded the motion. Motion carried.

Continuation- Class II Auto Dealer's License-M&M Towing, 85 Tyngsboro Rd:

Ben Osgood, representing Mr. Amini, requested a three month extension of the license to allow time to deal with all of the Boards conditions; including removing the parking lot. Mr. Osgood noted that Mr. Amini has been working with the Planning Board and the Conservation Commission. Selectman Dalton asked why it has taken over fourteen months to get to this point. Mr. Osgood stated that Mr. Amini was not aware that a permit was needed to build the lot, and spoke of the large financial commitment it has taken to remove it.

Motion: Selectman Chase made a motion to renew a Class II Auto Dealer's license, issue to M & M Towing, 85 Tyngsboro Rd., North Chelmsford MA, said license to be valid for a period of 4 months, January 1-April 30 2007, subject to the following conditions/stipulations:

1. That the Applicant continue to work with the ZBA and Planning Board with regard to their expansion of a non-conforming use (parking area in the flood plain zone);

2. That the current parking area will be removed;
3. That the back parcel will not be used for parking purposes;
4. That the Applicant will update the Board of Selectmen within 90 days of this approval with regard to its general progress and status with the ZBA and Planning Board."

Selectman Dalton seconded the motion. Motion carried.

One-Day All Alcohol License- St. Vartanantz Church, 180 Old Westford Rd:

Motion: Selectman Chase made a motion to approve the All Alcoholic license to St. Vartanantz Church located at 180 Old Westford Rd on February 17, 2007,

from 5pm-midnight; all inclusive. Selectman Dalton seconded the motion. Motion carried.

One-Day All Alcohol License- Chelmsford Public Library, 25 Boston Rd:

Becky Hermann, Library Director, invited the Board to the Chelmsford Library community social event on February 2, 2007.

Motion: Selectman Chase made a motion to issue a one-day beer and wine license to the Chelmsford Public Library effective for February 2, 2007, from 6pm-11pm; inclusive. Selectman Dalton seconded the motion. Motion carried.

Public Hearing- Petition to Place Pole-National Grid, Subway Ave, Plan # 1732383:

Dave Aguilar representing National Grid requested a pole petition on Subway Ave. Chairman McCall asked if there was anyone present to speak for or against the petition.

Motion: Selectman Chase made a motion to close the public hearing. Selectmen Dalton seconded the motion. Motion carried.

Motion: Selectman Chase made a motion to approve the pole petition submitted by National Grid plan #1732383 dated December 8, 2006; contingent on the return of abutter cards to Town Hall. Selectman Dalton seconded the motion. Motion carried.

Approval of Minutes:

Motion: Selectman Chase made a motion approve the regular meeting minutes for December 4, 2006. Selectman Dalton seconded the motion. Motion carried.

Motion: Selectman Chase made a motion approve the regular meeting minutes for December 18, 2006. Selectman Dalton seconded the motion. Amended: Page 5, 3rd paragraph to read *"Selectman Dalton asked that the original* ***height*** *discussed at the prior meeting be included back into the document."* Motion carried.

Selectman Chase held off on making a motion to approve the December 18, 2006, Executive Session minutes due to continued discussion with residents.

Town Manager Appointments:

1. Mr. Cohen requested that the Board approve the appointment of Carmen Langthorne to the Chelmsford Cultural Council.

Motion: Selectman Chase made a motion to approve the appointment of Carmen Langthorne to the Chelmsford Cultural Council. Selectman Dalton seconded the motion. Motion carried.

2. Mr. Cohen requested that the Board approve the following individuals as Deputy Constables: John Guilfoyle, Judith, Goffin, Kevin Whippen, Joseph Connell, Mathew St. Hilaire, Francis Fraine, and Ken White.

Motion: Selectman Chase made a motion to approve the following appointments to the Deputy Constable contingent on the receipt of the $5,000 bond: John Guilfoyle, Judith, Goffin, Kevin Whippen, Joseph Connell, Mathew St. Hilaire, Francis Fraine, and Ken White. Selectman Dalton seconded the motion, Motion carried.

3. Mr. Cohen requested that the Board approve the appointment of the following individuals to the July 4th Planning Committee: Jeff hardy, co-chair, Lynn Marcella, co-chair, Douglas Hausler, Jimmy Good, Brian Reidy, Hank Hamelin, Rick Romano, Kathy Kelley and Jim Cullen.

Motion: Selectman Chase made a motion to appoint Jeff hardy, co-chair, Lynn Marcella, co-chair, Douglas Hausler, Jimmy Good, Brian Reidy, Hank Hamelin, Rick Romano, Kathy Kelley and Jim Cullen to the July 4th Parade Committee. Selectman Dalton seconded the motion. Motion carried.

Jeff Hardy thanked the Board for the opportunity to co-chair the Parade committee. Mr. Hardy reminded residents that on January 18, 2007, the Town Manager and Police Department would hold a public forum. Mr. Hardy also noted that on March 1 the CBA would be having a candidate's night for the April election.

Town Manager Reports:

1. Mr. Cohen requested a motion to formally continue the Westland LIP project.

Motion: Selectman Chase made a motion to continue the Westland LIP Project until January 22, 2007 regular Board meeting. Selectman Dalton seconded the motion. Motion carried.

2. Mr. Cohen reported that applications have been received for the Town Accountant position and requested a brief Executive Session to choose candidates for interviews.
3. Mr. Cohen requested that the Board meet with FinCom and the School Committee on January 29, 2007, to discuss the budget. Mr. Cohen expressed concern with the budget and thought a meeting would help the Town see the challenges ahead.
4. Mr. Cohen reported that Chelmsford Telemedia was in favor of changing its by-laws to change its Boards make-up.
5. Mr. Cohen reported that he and the Police Chief attended a meeting in Billerica regarding the building of a power plant on the Chelmsford/Billerica line. Mr. Cohen added that there are no public safety concerns with the building.
6. Mr. Cohen reported that there had been no response from Verizon concerning the poles in the center of Town.
7. Mr. Cohen briefly discussed the foreclosure on 27 Katrina Rd., and that the DEP notified the Town. Mr. Cohen noted that the biggest concern was the issue of contamination of a nearby well field. Mr. Cohen stated that the Town will continue to work on the issue.

Selectman Referrals:

Selectman Eliopoulos made the following referral(s):

1. Selectman Eliopoulos suggested that a meeting be set to discuss the goals of the Town with the public sometime in February. Selectman Eliopoulos thought it would be a good way to hear from residents. Selectman Chase agreed that improving communication with the community is a good idea. Selectman Newcomb suggested posting last year's goals and objectives on-line.

Selectman Chase made the following referral(s):

1. Selectman Chase commented on the changes to the Board LIP Policy and referred members to section 7-2.8 of the policy. Selectman Chase stated that an arbitrary amount of $500 that developers would need to pay in fees was selected and he requested an approved amount.

Motion: Selectman Chase made a motion approve the amended changes to the BOS-LIP Policy; issuing a fee for developers of $50 per unit with a minimum of $1,000 fee to be paid to the Town. Selectman Dalton seconded the motion. Motion carried.

Selectman Dalton made the following referral(s):

1. Selectman Dalton stated that he did a walk-through at the Chelmsford Forum following up on concerns made by residents. Selectman Dalton reported that the facilities were fine.
2. Selectman Dalton commented on the sloppy pick-up by the recycling trucks in his area.

Selectman Newcomb made the following referral(s):

1. Selectman Newcomb suggested that Selectmen request money from Representative Hall for the water clean up on Katrina Road.
2. Selectman Newcomb suggested the Board create a top five list of priorities that can be discussed and given to state representatives at a future meeting. Selectman Dalton suggested hand delivering the letter concerning sound barriers in town to Governor Patrick.

Chairman McCall made the following referral(s):

1. Chairman McCall noted recent questions concerning global warming and if there was anything that could be done locally. Chairman McCall suggested a pledge the Board could sign. Chairman McCall noted that the Board was invited to watch *An Inconvenient Truth* viewing and discussion next week.

Press Questions:

None

Motion: Selectman Chase made a motion to adjourn into Executive Session for the purpose employment contracts at **10:45pm**. Selectman Dalton seconded the motion. Motion unanimously carried.

Respectfully submitted,

Patrice Garvin

Notice of Meetings of Town Departments and all Town Boards

As required by Chapter 39, G.L.

~ Please Press Firmly and Print ~

Name Of Department or Board: Board of Selectmen

Date of Meeting: January 22, 07 **Time:** 7 p.m.

Location: Town Offices Room Number: 204

Name of Building

5a Lowell Rd

Street Address

Elizabeth A Delaney

Town Clerk's Signature

Clerk/Bd. Member & Date

RECEIVED

05 DEC -4 AM 9:48

TOWN OF CHELMSFORD
ELIZABETH L. DELANEY
TOWN CLERK

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA
January 22, 2007

7:00 p.m. **Call to Order**

Public Service Announcements

- **Chelmsford Alumni Association Annual Scholarship Banquet** – George Simonian
- **Winterfest** – February 2 - 4, 2007

Open Session

Approval of Minutes

- **Regular Meeting Minutes -** January 8, 2007
- **Executive Session Minutes** – January 8, 2007

BOS Appointments

- **Town Accountant**

Scheduled Business

7:30 p.m. **Auditor's Report – Powers and Sullivan**

8:00 p.m. **Application for a Common Victualer License** – Village Grille - 1 Central Square

8:05 p.m. **Application for a Class II Auto Dealer's License** – A+ Auto Dealers, 10 Wesley St.

8:30 p.m. **Westland Commons LIP, 194 Chelmsford St.**

Town Manager Reports

- Reports – Town Owned Land

Unscheduled Business

Selectman Referrals

Executive Session

Next Meeting: Joint Meeting with Finance Committee and School Committee, January 29, 2007, Senior Center

***** This meeting is televised. *****

TOWN OF CHELMSFORD
BOARD OF SELECTMEN MINUTES
Monday, January 22, 2007
50 Billerica Road, Town Offices

Attending:
Michael F. McCall, Selectman Chairman
Samuel Chase, Selectman Vice Chair
William F. Dalton, Selectman Clerk
Thomas A. Newcomb, Selectman
Philip M. Eliopoulos, Selectman
Paul Cohen, Town Manager

7:05pm
Chairman McCall called the meeting to order.

Public Service Announcement(s):

1. George Simonian, of the Chelmsford High School Alumni Association, announced the annual Hall of Fame Induction ceremony on March 24, 2007, at the Doubletree in Lowell. Mr. Simonian named each nominee and gave a brief history on the following people: David R. Abbott, Kevin G. Attar, Mehmed Ali, Thomas A. Caito, David J. Hedison, Steven M. Mansfield, Lynne Marshall McSheehy, Randall A. Whitehead and Lance W. Wilder. Mr. Simonian invited the Board to the ceremony and thanked them for their support.
2. Mr. Cohen gave a brief description of the upcoming Winterfest on February 2nd - February 4th.
3. Chairman McCall stated that the Board of Selectmen and Town Manager would be holding a community meeting on February 12th at the Senior Center. The purpose was to discuss ideas and concerns in the community in a casual setting.

Open Session:

1. Diane Early, resident-184 Chelmsford Street wanted to discuss the covenant on the Westland LIP property dated June 29, 1989 by the current owner of the property. Ms. Early noted that the covenant restricts the use of the property and size of a dwelling. The covenant can only be released by a majority vote from the Planning Board. Ms. Early requested that the Board recommend to the Planning Board that all future meetings be public. Chairman McCall reminded the audience that all meetings and boards in Town fall under the MA Open Meeting Law. Ms. Early also requested that the Board make sure the LIP was resubmitted adhering to the current LIP policy. Selectman Dalton noted that if the Westlands LIP is resubmitted it would need to follow the Board's LIP Policy. Selectman Eliopoulos suggested a letter be sent to the attorney/developer stating that they need to comply with the covenant and the Board's LIP Policy.
2. Paul Davis, resident-17 Steadman Street discussed the recent decrease in the reputation of Chelmsford because of the proposed 40B's in Town. Mr. Davis stated that the State imposes no penalty on the Town if it does not meet the 10%

minimum needed in affordable housing. Mr. Davis stated that the issue of density was missing in the Board's LIP Policy.

Motion: Selectman Chase made a motion to withdraw the petition for the Westlands LIP, 194 Chelmsford St. without prejudice. Selectman Dalton seconded the motion. Motion carried.

Approval of Minutes:

Motion: Selectman Chase made a motion to approve the January 8, 2007 regular session minutes. Selectman Dalton seconded the motion. Motion carried.

Motion: Selectman Chase made a motion to approve the January 8, 2007 Executive Session Minutes. Selectman Dalton seconded the motion. Motion carried.

Town Manager Reports:

Mr. Cohen commented on recent media reports concerning a proposed location for a combined Fire/DPW facility. Mr. Cohen stated that at no time did he indicate that a location had been chosen for the facility, as suggested in the newspaper. Mr. Cohen noted that no location has been ruled out and that the intent is to form a committee. Mr. Cohen stated that the committee would discuss the needs of the Town and efficiencies of such a facility.

Selectman Dalton added that he wished the Lowell Sun had contacted members of the Board before they published the story because the article left an impression that Selectman Dalton is the only Board member in support of the fire station. Selectman Dalton asked each Board member his opinion on the issue. Selectman Eliopoulos stated that the Town is looking at all options regarding the center fire station. Selectman Chase stated that there is no fire facility in town that meets the needs of a fire Dept. headquarters, and that he is in favor of constructing such a facility. Chairman McCall stated that the Center Fire Station is in need and an alternate location should be discussed. Selectman Newcomb stated that he supported a fire station and having a study that discusses consolidation is needed. Selectman Dalton noted that in 1987 the center fire station was identified as a structurally unsound building.

Auditor's Report-Powers and Sullivan:

Richard Sullivan of Powers and Sullivan shared a brief synopsis of the report given to the Town. Mr. Sullivan stated that for the purposes of discussion he would focus on the budgetary areas of the report. Mr. Sullivan referred to that area in the report that shows the primary functions of the Town. Mr. Sullivan pointed to the larger parts of the Town budget, which are schools and public safety. Mr. Sullivan noted the continuing burden of health insurance and pensions for towns. Mr. Sullivan stated that the Town has been using reserves to fund the shortfalls and added that the Town currently has 3.9% of its budget in a Stabilization Reserve, as opposed to 5% in 2002. Mr. Sullivan summed up the report noting that the Town is in better shape than many other towns, and that the stabilization fund was better than most area communities. Mr. Sullivan noted that they audited the Federal Awards report and that we are in compliance.

The Management Letter was part of the report designed to point out strengths and weaknesses in our internal controls and operations, as well as highlight laws and regulations. Mr. Sullivan noted no major deficiencies. Mr. Sullivan suggested that the flow and timeliness of information from the School Department to the Town Accountant could be improved.

Questions/Comments from the Board:
Selectman Chase asked for clarification between a contract and a purchase order. Mr. Sullivan replied that a purchase order and a contract were considered the same. Selectman Eliopoulos asked how the departments in Town responded to the audit. Mr. Sullivan complimented the departments in Town for their excellent audit package and was very pleased with the process.

BOS Appointments- Town Accountant:
Chairman McCall called for nominations for the Town Accountant position. Selectman Dalton nominated Darlene Lussier to the position of Town Accountant. Selectman Chase seconded the nomination.

> **Motion:** Selectman Chase made a motion to appoint Darlene Lussier to the position of Town Accountant, to start immediately and with terms and conditions of employment to be based on the negotiations to be completed by the Town Manager. Selectman Dalton seconded the motion. Motion carried.

Chairman McCall gave a brief history of the search process for the Town Accountant and its application process.

Application for a Common Victualer License-Village Grille, 1 Central Square:
Joint applicants, Allen Curtis of New Hampshire and Darlene Curtis of Wilmington, requested a Common Victualer license. Mr. Cohen stated that the license would restrict operations to the first floor and needed the Board of Health (BOH) and the Buildings Inspectors approval.

> **Motion:** Selectman Chase made a motion to approve the Common Victualer License to the Village Grill located at 1 Central Square; hours of operation Weekdays 6am-2pm and Sundays 6am-2pm. The license will restrict operations to the first floor and issuance will be contingent on the approval from the Board of Health and Building Inspector. Selectman Dalton seconded the motion. Motion carried.

Application for a Class II Auto Dealer's License-A+ Auto Dealers, 10 Wesley St.:
Peter Frasca, representing Gary Yip (president and appraiser), requested a license and noted that there was a closing planned for January 25th. Mr. Frasca added that Mr. Yip has had over twenty five years experience in the auto body field. Chairman McCall noted issues in the past in Town with keeping more than the required amount of vehicles on site. Selectman Dalton asked if there was proper ventilation on site. Mr. Frasca replied that the ventilation was up to the current standards and code.

Motion: Selectman Chase made a motion to approve the Class II Auto Dealer License to A+ Auto Dealers located on 10 Wesley St; not to exceed over ten vehicles on the lot. Selectman Dalton seconded the motion. Motion carried.

Town Manager Reports *Continued*:

1. Mr. Cohen presented a plan to assess three properties in Town: 15 Bentley Lane (failed at fall 05' Town Meeting), 12 Bentley Lane (withdrawn Fall 05' Town Meeting) and 3 Stillwater Drive (failed fall 05' Town Meeting). Mr. Cohen noted that if these parcels could be sold it would place them back on the Town's tax role as well as relinquish any maintenance responsibility. Mr. Cohen proposed possible affordable housing at each location, limited to one dwelling. Chairman McCall questioned the incentive for developers to build one dwelling. Mr. Cohen replied that smaller builders could be approached.

15 Bentley Lane
Mr. Sheehan discussed that this lot was determined to be non-buildable but that there is potential for limited development. Selectman Dalton asked if there is any frontage on the property. Mr. Sheehan noted that there is no legal frontage but there could be room for a modest development, which could be affordable. Selectman Newcomb asked about a waiver on conservation issues given there is a wetland around the property. Mr. Sheehan noted that it has not been looked into. Selectman Newcomb asked if restrictions on the property would be listed on the RFP. Mr. Sheehan replied that restrictions could be well defined in the RFP.

12 Bentley Lane
M. Sheehan stated that this lot is assessed at $19,500 and approval would be needed from the Board of Appeals to develop the property. Mr. Sheehan stated that this property is similar to 15 Bentley.

3 Stillwater Drive
Mr. Sheehan stated that this property was reassessed and at Town Meeting there were significant amounts of opposition.

Mr. Sheehan concluded by stating that the development of theses properties could be a benefit to the Town for the following reasons: eliminate liability and maintenance for the Town, abutting residents could purchase the lots and enhance their property values, and the land would be added back onto the Town's tax roll.

Selectman Eliopoulos stressed the need to talk to the abutters to give them the opportunity to buy the land. Chairman McCall agreed that communication with the abutters is vital. Selectman Newcomb felt that before a meeting with the abutters is scheduled the plan should be more detailed to reassure residents. Selectman Newcomb asked if these properties would be on the warrant. Mr. Cohen replied that it is it on the Town warrant.

2. Mr. Cohen requested a vote from the Board to remove restriction signs from Golden Cove Road. Mr. Cohen explained that the signs are no longer needed because of the installation of the traffic light at the end of the road.
   Motion: Selectman Chase made a motion to approve the removal of restriction signs from Golden Cove Road for the following Streets: Dawn Drive, New Spaulding and New Fletcher Rd. Selectman Dalton seconded the motion. Motion carried.

3. Mr. Cohen presented the Board with a list of articles for the spring '07 Town Meeting Warrant.
4. Mr. Cohen reported that he was pursuing the double pole issue in Town and was awaiting a response from Verizon concerning the North Rd. poles.
5. Mr. Cohen reported that the Katrina Road evacuation has taken place and the Town needed to notify the DEP.
6. Mr. Cohen reminded the Board that the Town's budget would be presented at the upcoming Joint meeting on January 29th with the School Committee and FinCom.
7. Mr. Cohen reported on the status of the fire union, and school union contracts.
8. Mr. Cohen reported that he attended a lunch at the senior center to hear concerns of the residents.
9. Mr. Cohen reported that he recently had gone on a tour of the Town's center and talked to local business owners and their concern for parking in the center.
10. Mr. Cohen reported that the lights in certain meeting rooms in Town Hall have been equipped with sensors to save on energy.
11. Mr. Cohen reported that he had spoken with Representative Tom Golden about budgetary concerns.

Selectman Referrals:

Selectman Newcomb made the following referral(s):

1. Selectman Newcomb suggested having an agenda item for the next meeting that would be a discussion of the priorities of the local representatives. Selectman Newcomb further suggested sending a "legislative priority" letter to the delegation as has been done in the past. Selectman Chase suggested using the 2005 legislative letter as a template. Selectman Newcomb added that the representatives should update the Board on specific actions taken in the past year.
2. Selectman Newcomb asked about parking in the center and the need for blue parking signs to indicate public parking in the center.
3. Selectman Newcomb mentioned a traffic light was broken in the center across on Chelmsford Street. Selectman Newcomb added that the base of the traffic lights in front of the Fisk house was also broken.
4. Selectman Newcomb stated that the School Building Committee was continuing to meet and asked if the ribbon cutting committee was all set. Mr. Cohen noted that a committee had been assembled.

Selectman Dalton made the following referral(s):

1. Selectman Dalton stated that he was glad to see that Verizon had responded to the Town and had identified a potential for the laying of fiber optics throughout Town.
2. Selectman Dalton mentioned the possibility of the Town getting grant money through NMCOG.
3. Selectman Dalton reported on several events throughout the Town.
4. Selectman Dalton asked about the delivery of a letter to Governor Patrick at the MMA. Selectman Chase replied that the initial letter received no response and an additional letter was sent.
5. Selectman Dalton asked if the proposed DWP/Fire site could fall under Chapter 90 monies. Mr. Cohen replied that Chapter 90 money could be received by the Town.

Selectman Chase made the following referral(s):

1. Selectman Chase stated that he attended the School Committee and Leadership Committee to discuss the FY09 budget.
2. Selectman Chase urged residents to attend FinCom meetings to get a general understanding of the Town's budget process.
3. Selectman Chase noted that he attended the MMA.

Selectman Eliopoulos made the following referral(s):

1. Selectman Eliopoulos requested that meetings be scheduled concerning the Russell Road issue.
2. Selectman Eliopoulos stated that he attended an environmental discussion and discussed what the community could do to help the environment.
3. Selectmen Eliopoulos asked for a listing of property in Town that is underutilized. Mr. Cohen mentioned the idea of designating an Economic Coordinator to start to work on getting property back on the tax roll as well as recruitment of businesses to Town. Selectman Newcomb suggested the position also work with new businesses to make the permit process easier.
4. Selectman Eliopoulos asked about property being developed for a 40B on the Westford /Chelmsford line. Mr. Cohen stated that the Town did not have much leverage but will examine the issue.

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Chairman McCall made the following referral(s):

1. Chairman McCall noted that his e-mail address on the Town web page was incorrect.
2. Chairman McCall reported that there was a public input session scheduled on February 12th.

Press Questions:

None

Motion: Selectman Chase made a motion to adjourn into Executive Session for the purpose discussing potential litigation, not to return to Open Session, at **9:20pm**. Selectman Dalton seconded the motion. Motion unanimously carried.

Respectfully submitted,

Patrice Garvin

Notice of Meetings of Town Departments and all Town Boards

As required by Chapter 39, G.L.

~ Please Press Firmly and Print ~

Name Of Department or Board: Joint Meeting - BOS, Fin Com, SC

Date of Meeting: Monday Jan. 29, 2007 **Time:** 7pm

Location: Senior Center Room Number: _____

Name of Building

Cedar St

Street Address

Elizabeth A. Denney

Town Clerk's Signature

Clerk/Bd. Member & Date

RECEIVED
07 JAN 17 AM 10:31
TOWN OF CHELMSFORD
ELIZABETH L. DELANEY
TOWN CLERK

TOWN OF CHELMSFORD
JOINT MEETING MINUTES
Monday, January 29, 2007
50 Billerica Hall, Town Offices

Board of Selectmen Attending: Michael F. McCall-Chairman, Samuel Chase, Selectman-Vice Chair, Thomas A. Newcomb, Philip M. Eliopoulos, William F. Dalton-Clerk, Paul Cohen Town Manager

School Committee Attending: Kevin Porter- Chairman, Angelo Taranto, Evelyn Thoren, Kathy Duffett, Vice Chair, Christina Walsh, Dr. Karen Mazza, Dr. Richard Moser, School Superintendent, and Bob Cruickshank-Business Office Manager

Finance Committee Attending: David Turocy-Chairman, John Kurland, Mary Frantz, William D Fulton, Dwight Hayward, Vincent Villano, and Donald Van Dyne.

7:00pm
Chairman McCall called the meeting to order.

Town Manger FY08 Budget Summary, Paul Cohen, Town Manager:
Mr. Cohen presented the FY08 Budget Summary, and highlighted the fact that the FY08 Budget is based on, no override, no use of the stabilization fund, and reduced Town services. Mr. Cohen further indicated that he is planning to fund a part-time economic coordinator's position. Mr. Cohen presented the Town's budget history, along with a breakdown of the four revenue components: Real Estate Taxes plus New Growth and Exempt Debt, State Aid, Local Receipts, and Available Funds. Mr. Cohen stated that the tax levy increase is limited to 2-1/2% of the prior year's levy, plus new growth. Mr. Cohen noted that because of Proposition 2-1/2, all towns in the State are under the same revenue pressures as Chelmsford.

Mr. Cohen highlighted the decrease in state aid since 2002. Mr. Cohen gave a brief history of Chelmsford's share of Chapter 70 monies from 1993 to the present and indicated that annual increases were the norm until FY 2003, when the State cut about 20% from our funding level. Mr. Cohen referred the boards to the MA DOE web page that shows the current Chapter 70 formula.

Mr. Cohen reported that the Available Funds category would drop for FY08 and highlighted the sewer fees, the child care revolving fund and the stabilization fund as chief contributors to the decline. Mr. Cohen stated that the stabilization fund is not near the recommended 5% of the operating budget, which could affect the bond rating of the Town.

Mr. Cohen noted that the major component of the Local Receipts category is the excise tax, and noted that reductions in that category are due primarily to a slow down in automobile purchasing. Mr. Cohen also noted the decrease in building permits.

Mr. Cohen gave a brief history of Expenditures and noted the budget busters are benefits, union contracts and snow and ice. Mr. Cohen detailed an expenditure summary and noted the largest parts of the budget are the school department and public safety. Mr. Cohen acknowledged that Nashoba has not submitted expense numbers to the Town; therefore a 6% budget increase was estimated. Mr. Cohen presented the financial picture of each Town department and whether they will be increased or level funded.

Mr. Cohen reported that under Municipal Administration, a part-time position will be eliminated. Under public safety, Mr. Cohen reported that the police overtime budget will be severely reduced. Mr. Cohen noted that this will impact investigation levels in Town. In the fire department, he indicated that alternate closing of the east and west stations will be put into effect. Proposed cuts in public works include elimination of full time employees as well as sidewalk construction. Mr. Cohen reported that the cemetery is level funded. Proposed cuts were also reported in the human services, community enrichment and the library categories.

Mr. Cohen reported that the Town settled employment contracts with the schools and that health insurance copays will increase from $5 to $15, saving the Town money, if the same change is approved by the other unions. Also the adoption of Section 18 helps the Town. Mr. Cohen outlined budget uncertainties in state aid, union agreements and Nashoba.

Mr. Cohen concluded by stating that any one-time money received by the Town will be transferred into the Stabilization Fund, and that efforts will continue with increasing Chapter 70 money, exploring cost savings, and expanding the commercial tax base.

School Department Presentation, Dr. Moser, School Superintendent:
Dr. Moser gave a brief history of the school department and the challenges that the department faces. Dr. Moser presented four budget summaries: Fixed Cost Adjusted Budget, Conservative Needs Budget, Sustained Service Budget and a Revenue Based Budget.

Dr. Moser noted the fixed cost increases from 41 million to 49 million. Since 2002, 50.1 positions have been cut and for FY08 another 23.9 will be cut from the budget. Dr. Moser noted the increase in class size after the cuts. Dr. Moser pointed out scheduling problems in the high school and that there are over 400 high school students without a full schedule. Ms. Duffett pointed out that some of the impacts presented by Dr. Moser have already occurred. Dr. Moser noted the impact of budget cuts on purchasing of text books, professional development for teachers and cuts in the MIS and Computer hardware budget. Dr. Moser noted the high fees that parents are paying for sports and activities. Dr. Moser noted a 1.7 million dollar shortfall for next year.

Dr. Moser presented cuts in teachers (10), guidance positions, music in the high school and other cuts not identified as of yet. Dr. Moser reiterated that 23.9 teachers would be cut. Selectman Chase asked how many reductions would result from retirements, and

how many were caused by Reductions in Force (RIF), meaning actual layoffs. Dr. Moser noted that there were at least ten Riff's and some were retiring.

Dr. Moser presented the impacts of such cuts in the school department. Dr. Moser clarified what it means for high school students not to have a full schedule. Dr. Moser suggested the following to help solve the funding issue: obtain more Town revenues, obtain more money through fees from parents, make cuts in education quality or raise additional revenue from taxpayers through an override.

Boards Discussion:

Christina Walsh read a prepared statement to the Boards stating the need for a solution to address the shortfall. Mr. Taranto urged the Town to join together to keep the schools going. Ms. Duffett noted that the cuts proposed will impact the children and there is a need to address the problem. Ms. Thoren acknowledged continued lobbing efforts at the State level for an increase in Chapter 70 money. Ms. Thoren asked about the $250,000 in Medicaid money. Mr. Cohen replied that the Town had been counting that money twice, but would no longer do so. Going forward, Medicaid money will be forecasted as revenue. Ms. Thoren pointed out that that would result in an additional $250,000 loss in the school budget. Ms. Thoren noted the increased fees and the burden on parents in Town. Mr. Porter referred to the 400 HS students not having full schedules and the need to deal with the all the issues discussed.

Selectman Newcomb asked what long range plans were made, since there is such a large shortfall projected in the future. Dr. Moser stated that the school spending in order to maintain level services exceeds current revenue projections, and a plan needs to be created. Selectman Newcomb asked if there are any other areas being considered for cuts. Dr. Moser noted that there have been cuts in the Administration areas and the schools are looking at a fair and balanced approach to any cuts.

Chairman McCall noted the shared concerns of the funding issues and highlighted the recent changes that have and will come to the Town as a result of our hiring a new Town Manger, Town Accountant and School Superintendent. Ms. Frantz asked about continuing the practice of purchasing computers through the Capital budget. Mr. Cohen replied that for one last time (FY08) the School Dept. will be allowed to purchase computers with a Capital appropriation, but going forward, they will have to include the purchase of new computers in their expense budget.

Ms Duffett and Mr. Cohen proceeded to discuss the bonding process for the School Building Project. Mr. Cohen noted changes in the state program and how the state will pay out a lump sum. Ms. Duffett asked about an override option for the Town. Mr. Cohen noted that the only thing worse than an override is a failed override, and if the override did not pass it could affect the bond rating of the Town. Mr. Cohen noted that the Town should do everything possible to maximize operating efficiencies before asking for an override.

Ms. Duffett asked further about what could be done for the school department. Mr. Cohen stated that he has not received historical expense data from the school department; therefore he does not have a full assessment. Selectman Eliopoulos stated that the community needs to see the challenges the Town is facing. Selectman Eliopoulos noted that since there are many changes occurring in the Town it may not be the right time to ask for an override. Mr. Porter stated that it was the students who had to wait while the Town makes it decisions. Selectman Eliopoulos mentioned the community meeting on February 12th. Ms. Thoren noted that decisions on the school side only directly affect 17% of the Town's population.

Public Input:

1. Karen DeDonato, Precinct 8 Town Meeting Representative, gave support for a revenue based budget. Ms. DeDonato did not support the closing of the two fire stations, or other proposed Town service cuts. Ms. DeDonato commented on the fees parents have to pay for students. Ms. DeDonato stated that the Town can not afford to cut anymore.
2. Mary Tiano, Precinct 8 Town Meeting Representative, asked about the recent negotiations with unions in Town. Ms. Tiano asked why Nashoba did not submit numbers to the Town. Mr. Cohen stated that Nashoba was contacted, did not respond, and the Town decided to estimate a 6% increase, based on past history. Ms. Tiano asked about the progress of the Chapter 70 civil case. Mr. Cohen replied that the Board of Selectmen had received an opinion from Town Counsel and is continuing to review the issue. Ms. Tiano expressed her frustration and dissatisfaction that Boards are apparently still having difficulty with communication, and indicated that it is unacceptable that Boards are not sharing all information completely and in a timely fashion. Ms. Tiano asked about the question asked earlier about the long term planning aspect of the budget for the schools. Ms. Tiano noted that the upcoming deficits are no secret. Selectman Newcomb clarified his question to the School Department as being specific to an override. Selectman Newcomb stated that there needs to be a multi year plan for any override proposed. Ms. Tiano asked that the Town give the residents a chance to decide on an override.
3. Linda Fall, Precinct 7 Town Meeting Representative, asked about the number of vending machines that are in the high school. Mr. Cruickshank stated that there are fifteen vending machines in the high school and that their revenues offset some food service costs.

Chairman McCall commented on recent proposals for excess Town land to be sold at the fall Town meeting and said the purpose for selling the land is to raise money for the stabilization fund. Chairman McCall noted that the Town needs to look at all options before asking for an override.

4. Mary Tiano, Precinct 8 Town Meeting Representative, followed up by stating that there was miscommunication that occurred at Town Meeting regarding the selling of Town land. Town Meeting Representatives do not feel the Town did enough

homework before proposing to sell Town property. Ms. Tiano was also critical concerning the lack of communication to abutters for those proposed land sales.

5. James Comeau, Precinct Town Meeting Representative, requested that the Boards have a solid plan before they proceed.

Chairman McCall stated that the leadership team would be meeting and that they would decide how to proceed, given the time constraints Mr. Cohen cited in regard to the April election.

Motion: Selectman Chase made a motion to adjourn at **9:55pm**. Selectman Dalton seconded the motion. Motion unanimously carried.

Respectfully submitted,

Patrice Garvin

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA
February 5, 2007

7:00 p.m. **Call to Order**

Public Service Announcements

Open Session

Approval of Minutes

- Regular Meeting Minutes – January 22, 2007
- Executive Session Meeting Minutes – January 22, 2007
- Joint Meeting Minutes – January 29, 2007

BOS Appointments

- Chelmsford High School Auditorium Ribbon Cutting Committee

Scheduled Business

7:30 p.m. **Application for a Common Victualer License –** Two Boys Bakery, 333 Acton Rd.

7:35 p.m. **Transfer of Underground Gasoline Storage License –** Ampet Inc., 100 Chelmsford St.

7:40 p.m. **BOS Vote to Assent - Monmouth St.**

7:45 p.m. **TM Warrant Article to Rescind Section 174-2 of Gen. Code– Closure of Pond St.**

7:50 p.m. **Town Owned Properties – Bentley Lane, Stillwater Dr**

8:00 p.m. **LIP Approval – Hillside Gardens – 311 Littleton Rd.**

8:45 p.m. **NCWD Ad Hoc Advisory Committee Report**

Town Managers Reports

Unscheduled Business

- **BOS Report – Legislative Priorities**
- **BOS Vote – Petition to Remove Registered Land- Woodland Square Development**

Selectman Referrals

***** This meeting is televised. *****

Executive Session

Next Meeting: February 12, 2007, Community Meeting
Senior Center, 75 Groton Rd.

TOWN OF CHELMSFORD
BOARD OF SELECTMEN MINUTES
Monday, February 05, 2007
50 Billerica Road, Town Offices

Attending:
Michael F. McCall, Selectman Chairman
Samuel Chase, Selectman Vice Chair
William F. Dalton, Selectman Clerk
Thomas A. Newcomb, Selectman
Philip M. Eliopoulos, Selectman

Paul Cohen, Town Manager

7:05pm
Chairman McCall called the meeting to order.

Open Session:

1. Clare Jeannotte, resident-3 Hawthorne Lane reported that the League of Woman Voters would conduct a Local Representative Night on February 7, 2007 at 7:00pm at the Police Station. Ms. Jeannotte noted that state and local representatives would be present to address residents concerns.

Approval of Minutes:
Selectman Chase noted that the January 22nd regular meeting minutes were missing pages and needed to be deferred to the next Board meeting.

Motion: Selectman Chase made a motion to approve but not release the January 22, 2007, Executive Session minutes. Selectman Dalton seconded the motion. Motion carried.

Motion: Selectman Chase made a motion to approve the January 29, 2007 Joint Session meeting minutes. Selectman Dalton seconded the motion. Motion carried.

Town Manager Appointments:
Mr. Cohen reported that the auditorium is almost complete and the creation of a ribbon cutting ceremony committee was requested.

Motion: Selectman Chase made a motion to approve appointment of the High School Auditorium Ribbon Cutting Committee, consisting of the following individuals: Marian Currier, Mike LaCava, Lauren Cochran, Jeff Doherty, Jeff Hardy, Eric Linser, Anne Marie Messier, Jo Morse, Kristin Neves, Tom Newcomb, Jeanne Parziale, Kevin Porter, Carl Rondina, Al Thomas, and Evelyn Thoren. Selectman Dalton seconded the motion. Motion carried.

Town Manager Reports:

1. Mr. Cohen noted the early change in daylight saving time this year. Daylight savings will be on the second Sunday, March 11, 2007.
2. Mr. Cohen reported that he attended a meeting with Tewksbury and Billerica to discuss the building of a power plant at the intersection of the three communities. Mr. Cohen noted he would continue to update the Board on the progress of the project.
3. Mr. Cohen reported that meetings are continuing with Russell Road residents.
4. Mr. Cohen reported a problem in the numbering of parcels on Pilings and Gary Rd. Mr. Cohen reported that he was working with the Town Clerk to solve the problem.
5. Mr. Cohen reported on the need for two new committees. The first committee would be formed to discuss a possible joint facility for the Town. Mr. Cohen suggested a nine person committee consisting of the fire chief, DPW director, a Board representative, a FinCom representative, members of the fire union and three residents. The purpose is to examine the consolidation of the fire department the DPW and a possible recycle center for the Town. Mr. Cohen requested that all interested residents should apply through the Town Managers office.
6. The second committee would be a Solid Waste Recycling Committee. Mr. Cohen noted programs in the past such as "Pay-as-You-Throw" that need to be revisited by the proposed committee. Mr. Cohen noted the need to promote and increase recycling in the Town.

Application for a Common Victualer License-Two Boys bakery, 333 Acton Rd.:
Derek Cash, of Medford, requested a license from the Board.

> **Motion:** Selectman Chase made a motion to issue a Common Victualer License to Derek Cash, doing business as Two Boys Bakery, 333 Acton Road; hours of operation M-F 5am-10pm, Saturdays 9am-9pm and Sunday 9am-5pm. Selectman Dalton seconded the motion. Motion carried.

BOS Vote to Assent- Monmouth St.:
Dennis Teague, representing George and Patricia Rowe, stated that the title on this property has had problems since 1902. Mr. Teague reported that the Town gave bad title and holes needed to be plugged. Mr. Cohen reported that he has not heard back from Town Counsel regarding the title.

> **Motion:** Selectman Chase made a motion to grant general assent, in the matter of George J. and Patricia L. Rowe v. Town of Chelmsford et al., of the Town of Chelmsford without further notice to the allowance of the complaint vesting title in the plaintiffs, George J. Rowe and Patricia L. Rowe, to the lots constituting the property known as 36 Monmouth Street, Chelmsford, Massachusetts by adverse possession, subject to favorable review by Chelmsford Town Counsel. Selectman Dalton seconded the motion. Motion carried.

Town Warrant Article to Rescind Section 174-2 of Gen. Code Closure of Pond St.:
Mr. Cohen informed Mr. Hausler, attorney for the petitioner Mr. Barnes, that the request date on the article was January 8, 2007, calling for the Town to abandon all rights to Pond Street. The warrant article was submitted past the submission date. Mr. Cohen stated that Pond St. is closed to vehicle traffic June 15th – September 15th. Mr. Cohen noted that Town sewer is under the road as well as municipal water lines. Mr. Cohen requested that access to the road be open year round.

Mr. Hausler stated that Mr. Barnes was not aware that the Town wanted to take such action. Mr. Hausler suggested a possible easement that would make biking and walking available to the public. Mr. Hausler noted that there is adequate fire access on adjacent roads. Mr. Hausler stated that in the past the land was used as a cut-through for people using the beach. Mr. Hausler commented that if the road is made a throughway then his client would build on the land. Mr. Cohen reported that he has spoken to Captain Donahue, in the fire department, and his preference is to make the road accessible all year round. Mr. Hausler requested that no action be taken by the Board. Selectman Dalton asked to see a copy of the letter written by Captain Donahue.

> **Motion:** Selectman Chase made a motion to defer the warrant article vote to rescind section 174-2 of Gen Code Closure of Pond Street until the next Board meeting on February 26, 2007. Selectman Dalton seconded the motion. Motion carried.

Transfer of Underground Gasoline Storage License- Ampet Inc., 100 Chelmsford St.:

> **Motion:** Selectman Chase made a motion to transfer the current gasoline license to Mohammad Lastriane of Amet Inc., 100 Chelmsford Street. Selectman Dalton seconded the motion. Motion carried.

Town Owned Properties- Bentley Lane, Stillwater Drive:
Mr. Cohen described the assessing process as it applies to determining the value of Town owned land. Mr. Sheehan gave a brief presentation to the Board regarding the three parcels, which were discussed at the last Board meeting. Mr. Sheehan described each parcel and its history at prior Town meetings. Mr. Sheehan noted the assessed value of the parcels and the benefit to the Town if the parcels are sold. After the conclusion of the presentation by Mr. Sheehan the Board had no follow-up questions.

LIP Approval – Hillside Gardens, 110 Littleton Rd.:
Mr. Alphen presented the changes of the Hillside Garden site. Mr. Alphen noted the decrease in townhouses and increase in garden units. Mr. Alphen reiterated that there would be no access from Chamberlain Rd., and it would be listed on the plan. Mr. Alphen noted that a revised memo of understanding has been created with the Housing Authority. Mr. Alphen stated that the plan also includes an increased buffer between the development and the abutters.

Chris Lorraine, of LandTech, gave a brief presentation and stated that the project now includes thirty three garden-style units, an increase of three units. Mr. Lorraine noted the split entrance to the development was created to allow emergency access vehicles. Mr. Hedison commented that as the number of units decreases, so does the number of affordable units. Mr. Hedison noted that this site is listed as a potential affordable housing site in the Towns Master Plan. Selectman Newcomb described his role as appointed liaison for the Board with the developer and Mr. Sheehan. Selectman Newcomb stated that density is still an issue.

Abutters:

1. Christina Ingallina, resident- 23 Chamberlain Rd, distributed a copy of an adverse possession claim, filed on January 31, 2007. Selectman Newcomb commented on possible emergency access road through 27 and 29 Chamberlain Rd. Selectman Eliopoulos stated that the motion could read that no access would be granted through those properties.
2. Nicole Ballenger, (minor) 25 Chamberlain Rd. requested that the Board do the right thing and not approve the LIP.
3. Barbara Bunn, resident- 6 Chamberlain Rd. asked who would monitor the conditions placed on the LIP. Selectman Eliopoulos informed Ms. Bunn that the Chelmsford Housing Authority would monitor the development. Mr. Sheehan outlined the process of the LIP. Selectman Newcomb asked if the Board of Appeals could disregard any conditions the selectmen place on the LIP. Mr. Sheehan noted that the Board of Appeals is bound by the Board of Selectmen's decisions.
4. Joseline Demueth, resident- 24 Chamberlain Rd thanked the Board for hearing the abutters concerns and asked the Board to think about the precedent they were setting in Town.
5. Richard Hicks, resident- 24 Chamberlain Rd stated that the development is not affordable and that the Town does not seem to benefit as much as the developers. Mr. Hedison gave examples of how the Town benefits from LIP projects.
6. Tom Christiano, resident-6 Drew Circle stated that the abutters were not being considered. Mr. Christiano was concerned with the density of the project and asked the Board to vote down the project.
7. Paul Cerqua, resident- 21 Chamberlain Rd stated that he spoke with the fire chief about an emergency access road on Chamberlain and asked that it be put into writing that an access road would not be allowed.

Board Discussion:

Selectman Dalton listed the meeting dates that the Board has discussed the Hillside Garden LIP project. Selectman Dalton wanted to make clear that the Town has been working with the residents and the developers. Selectman Chase stated that he would vote for the LIP. Selectman Chase added that a Board liaison was appointed to avoid continuing prolonged open-ended discussions and revisions to the project plan. Selectman Newcomb stated that the recent memo by Mr. Sheehan listed detailed requirements for the developer, and that the developer chose not to follow those requirements. Selectman Chase expressed disappointment with the last minute contact

with the developer. Selectman Newcomb noted a disappointment with the density not being addressed and would not approve the project. Selectman Eliopoulos noted the high level of involvement with the LIP by the residents, the Board and the Developer. Selectman Eliopoulos stated that he would approve the LIP. Chairman McCall stated that after looking at past projects in Town, and the current proposal, this LIP's density is too high and he would not approve it.

Motion: Selectman Chase made a motion to approve the Hillside Gardens, 311 Littleton Road Local Initiative Program Application, as described on the Preliminary Site Plan, Conceptual Plan C dated 1/26/07, and further described in the January 2007 Memorandum of Understanding Agreement between the Chelmsford Housing Authority and Hillside Gardens LD, LLC, subject to the Applicant's receipt of appropriate waivers from the Department of Housing and Community Development relative to affordable unit Distribution within the project, if required; and further subject to the Applicant's receipt of appropriate waivers to the Chelmsford Zoning Bylaw, Sections 195-12, Multiple Principal Structures, Sections 195-43 and 195-44, landscaping, and 195-62B, multi-family buildings setback;

And further subject to the following Conditions:

1. There shall be no access to Chamberlain Road from the abutting lots owned by the Applicant or by Mr. Heider, and the Applicant shall make all efforts to secure access solely from Littleton Road;
2. The properties, known as 27 and 29 Chamberlain Road, shall not be incorporated into the project;
3. The project shall comprise no more than 59 units consisting of 26 2-bedroom townhouse units and 33 1 and 2-bedroom garden style units;
4. Substantial deviation from Conceptual Plan C dated 1/26/07 shall require the prior approval of the Board of Selectmen;
5. The project shall provide not less than 15 affordable units. Affordable unit distribution shall be agreed to by the Applicant, Chelmsford Housing Authority, and Mass. Dept. of Housing & Community Development.
6. Townhouse units in the buildings closest to Chamberlain Road shall be built into the hill. The rear wall building height of said units shall be not greater than 30 feet above existing grade. Building height shall be as defined in the Chelmsford zoning bylaw.
7. Minimum building setback (foundation and deck) to the current property lines of 21, 23, and 25 Chamberlain Road shall be not less than 80 feet.
8. The abutter Joseph Heider has gone on record as not objecting to the proposed eleven (11') foot building setback from his property line to the closest proposed Townhouse.
9. The final plan shall incorporate an additional evergreen landscape buffer within the westerly side of the property behind lots owned by Belanger and Ingallina.

Selectman Dalton seconded the motion. Motion carried **(3-2).**

NCWD Ad hoc Advisory Committee Report:

Sue Sullivan, Chairperson of the NCWD Ad Hoc Committee presented a brief summary of their final report. Ms. Sullivan noted a threat to the NCWD water supply. Ms. Sullivan presented some of the major findings and recommendations the committee made. Ms. Sullivan stated that the Fuel Storage Tank needs to be removed immediately. The dirt storage Pile on the DPW site needs to be screened and recycled into a two year working pile, and the balance of the dirt needs to be stored off-site. Finally, storm water controls need to be placed on site. Ms. Sullivan suggested the creation of a Water Protection Committee to oversee the water supply of the Town. Ms. Sullivan stated that discussion occurred as to who should be on the Water Protection Committee, but that the final decision rests with the Board. Chairman McCall asked if a timeline was put in place for the committees recommendations. Ms. Sullivan noted that the other than the Fuel Storage Tank the recommendations could be acted upon at any time.

> **Motion:** Selectman Chase made a motion to accept the Final Report of the North Chelmsford Water District Ad Hoc Advisory Committee on Potential Impacts to the NCWD Wells from Chelmsford DPW facility, dated January 31, 2007, as submitted. Selectman Dalton seconded the motion. Motion carried.

> **Motion:** Selectman Chase made a motion to direct the Town Manager to take action as necessary to comply with the general recommendations of the North Chelmsford Water District Ad Hoc Advisory Committee Report, except the recommendation regarding the establishment of a single committee to oversee the activities of the three districts shall not be acted upon without further review by the Board, and further to provide such progress reports on the status of actions taken as the Board may direct; with the first Report to be available at the Board's next Regular Meeting, February 26, 2007. Selectman Dalton seconded the motion. Motion carried.

Unscheduled Business:

Selectman Eliopoulos stated that the Board would hold a public information session on February 12, 2007. The forum has been planned in order for residents to give comments and suggestions to the Board of Selectmen.

Chairman McCall requested an update on 262 Littleton Rd. Selectman Eliopoulos stated that Town counsel has not seen the report and that this agenda item should be continued until Town counsel can comment.

Selectman Referrals:

Selectman Eliopoulos made the following referral(s):

1. Selectman Eliopoulos commented on the January 29, 2007 Joint meeting. Selectman Eliopoulos stated that the Winterfest activities went very well.

Selectman Chase made the following referral(s):

1. Selectman Chase reported that the Town Budget was given to FinCom on January 25, 2007.

2. Selectman Chase reported that he attended the School Committee interviews for the new superintendent. Selectman Chase reported that the School Committee would be making their final decision on February 7, 2007.
3. Selectman Chase reported that the Boards Leadership Team has been meeting and is recommending a joint meeting during the second week of March.

Selectman Dalton made the following referral(s):

1. Selectman Dalton noted that he viewed the final School Committee interview and was impressed by the final candidate.
2. Selectman Dalton reported that he received a call from a resident on Bishop Street who expressed concern with the condition of the road after plowing.

Selectman Newcomb made the following referral(s):

1. Selectman Newcomb reported that the School Building Committee was wrapping up.
2. Selectman Newcomb asked about the tree in the center and why it was still roped off.

Chairman McCall made the following referral(s):

1. Chairman McCall stated that he was recently asked about redistricting and how it has hurt the Town. Selectman Newcomb suggested bringing the issue to the local representatives.

Press Questions:

1. Rita Savard of the Lowell Sun asked how many more units the Town needs to have to reach the state's required minimum 10% affordable housing component. Selectman Dalton replied that the Town is currently at 6-1/2%.
2. Ms. Savard asked about the process of the NCWD Ad Hoc Committee. Selectman Chase gave a brief description of the NCWD process.

Motion: Selectman Chase made a motion to adjourn into Executive Session for the purpose discussing potential litigation, not to return to Open Session, at **9:20pm**. Selectman Dalton seconded the motion. Motion unanimously carried.

Respectfully submitted,

Patrice Garvin

Notice Meetings of Town Departments and all Town Boards

As required by Chapter 39, G.L.

TELEVISED

~ Please Press Firmly and Print ~

Cable confirmed

Name Of Department or Board: Public Input Session

Date of Meeting: February 12, 2007 **Time:** 7 p.m.

Location: [illegible] Room Number: [illegible]

Name of Building

25 Court Street, Westborough

Street Address

Elizabeth A. Delaney

Town Clerk's Signature

Clerk/Bd. Member & Date 2/11/07

RECEIVED

07 FEB -1 PM 3:30

TOWN OF CHELMSFORD
ELIZABETH L. DELANEY
TOWN CLERK

TOWN OF CHELMSFORD
BOARD OF SELECTMEN MINUTES- Public Input Session
Monday, February 12, 2007
Senior Center, Groton Road

Attending:
Samuel Chase, Selectman Vice Chair
William F. Dalton, Selectman Clerk
Thomas A. Newcomb, Selectman
Philip M. Eliopoulos, Selectman
Paul Cohen, Town Manager

Michael F. McCall, Selectman Chairman was absent.

7:05pm
Selectman Chase called the meeting to order and asked residents to approach the microphone.

Open Session:

0. Tom Moran, resident- Dennison Rd and Precinct 3 Town Meeting Representative recommended that the Town sue the state in partnership with other towns that are below FY2003 Chapter 70 aid levels. Mr. Moran noted that it is unconscionable that many towns are held harmless while others still have not recovered from the FY2003 cuts. Mr. Moran noted that an override will not pass and that a law suit is the first step in helping the financial situation of the Town. Mr. Moran suggested that any potential law suit be announced on the steps of the Town Hall. Mr. Moran feels that our local representatives are divided on issues and that Chelmsford is not being represented effectively in this matter. Selectman Dalton commented that the people of Chelmsford are being represented by the local representatives. Selectman Eliopoulos noted that the idea of a law suit was discussed at the recent Joint Meeting with the School Committee, FinCom and the Board of Selectmen.

1. Karen DeDonato, resident- Archibald Way and Precinct 8 Town Meeting Representative distributed a copy of a letter she had written. Ms. DeDonato stated that she could not support the Town budget, in its current form. Ms. DeDonato noted that she would submit her letter to the Chelmsford Independent. Ms. DeDonato asked what the Board planned on doing if there was no override. Mr. Cohen replied that the budget needed to be put in place at Town Meeting and if it were not, a special Town Meeting would need to occur. Mr. Cohen stated that no one is pleased with the reduction in services and listed the three main revenue sources of the Town. Mr. Cohen explained that it would be fiscally irresponsible to fund the budget using the stabilization fund. Mr. Cohen concluded by stating that there is no strong town wide sentiment for an override. Selectman Eliopoulos noted the need for there to be unity in support for an override. Ms. DeDonato stated that she is disappointed that the Board is not in favor of an override and feels that the tax payers should decide.

2. Verton Lenfest, resident- 20 Stonehill Rd. asked if the Town has any type of rainy day fund for repairs. Mr. Lenfest suggested that all state gambling taxes should find their way back to the Town and then be incorporated into the budget. Mr. Cohen noted that the Capital Planning Committee discusses capital improvements for the Town. Selectman Eliopoulos stated that the state lottery is supposed to give money back to the Town but the state did not honor that commitment when the state fell on hard times. Mr. Cohen noted that the proposed FY08 budget projects level funding for the lottery.

3. Dave Ford, resident- Sherman Street noted the strain seniors are under even without an override. Mr. Ford also commented on the fees for students in Town. Mr. Ford commented on the unions in Town and characterized them as abusers of the system with raises and pensions. Mr. Ford suggested a vote to eliminate tenure. Mr. Ford suggested that all of the area Town Managers and Boards of Selectmen have a joint meeting to discuss the unions.

5. Jim Heck, resident- Robin Hill Rd. commented that the public servants do an excellent job and is concerned that if teachers are pushed they will leave. Mr. Heck asked what the Board is doing to bring about change in the School System. Selectman Chase noted the joint efforts by the School Committee, FinCom and the Board of Selectmen and their commitment to meet regularly. Selectman Chase noted that the three boards discussed the possibility of an override for Spring 07 during their leadership meeting sessions, and it was determined that the timing is not right. Selectman Eliopoulos noted that the problems Chelmsford is facing are not unique. Selectman Chase urged residents to lobby their state officials to address Chapter 70 distribution inequities.

6. John Coughlin asked where the Town is in terms of health care for the Town employees. Mr. Cohen stated that the Insurance Advisory Committee is trying to address the issue of co pays. Mr. Cohen noted that Section 18, which would help keep costs down, had been recently adopted by Town Meeting. Mr. Cohen reported that the library and teachers unions have agreed to a fifteen dollar co pay, which will be effective when the others unions agree to it.

4. Douglas Hausler, resident- Brentwood Rd. was concerned with the following issues. Mr. Hausler commented that the ZBA should be given more authority in deciding zoning issues. Mr. Hausler suggested having a local affordable housing by-law. Mr. Hausler suggested that the Town use local organizations to clean schools. Finally Mr. Haulser suggested that elected officials should not have access to certain privileges.

8. Selectman Chase asked Ms. Kathy Duffett, School Committee Member, to comment on the lobbying efforts that took place earlier in the day at the State House. Ms. Duffett reported that she and other School Committee members met with Representative Golden, Representative Nagel and Representative Atkins.

Ms. Duffett stated that they presented a list of communities that are below FY2003 levels and are not yet at their Chapter 70 target aid levels to the Reps, and requested that they work with their colleagues to fix that situation before giving other towns more money.

4. Christine McNamara, resident- High Street noted gaps in the classes in the schools. Ms. McNamara questioned whether there were selectmen with children in the school system. Selectman Dalton noted that he has four grandchildren in the school system. Selectman Dalton stated that in Town, eighty three percent of residents do not have children in the schools; and therefore consideration must be given to the majority that does not have children in the system when thinking about an override. Selectman Newcomb stated that he has two children in the school system and that an override needs to be planned for the long term benefit of the Town.

4. Chris Ehrenfels, resident- High Street stated that he would be happy to pay more in taxes if it would improve the quality of the school system. Mr. Ehrenfels said that it is the Board's duty to force people to understand the need for an override.

5. Carl Westervelt, resident-Abbot Lane stated that if the school system is negatively affected then property values will go down. Mr. Westervelt stated that the Board should rally support and show the unfairness of the Chapter 70 formula. Selectman Eliopoulos noted the Initiative for Local Aid and their efforts.

5. Marianne Paresky, resident- Smith Street commented on the lack of adequate signage on Smith Street. Ms. Paresky stated that there needs to be 30mph signs placed at each end of the road. Trucking signs are also not adequate on Smith Street. Ms. Paresky noted the need for some discussion on the senior center funding. Ms. Paresky suggested not having health care discussions behind closed doors but publicly. Ms. Paresky expressed concern with the recycling bins and how seniors are experiencing trouble with the wheel and handle kits.

5. Patrick Hayes, resident- Steeples Drive stated his concerns with the schools budget and property values. Mr. Hayes expressed concern with tax relief for seniors.

5. Jeff Hardy, resident- Maple Drive thanked the Board for their hard work and dedication. Mr. Hardy commented that the Town has seen hard times in the past and thanked all town officials for their hard work.

5. Michael Eliopoulos, resident- Proctor Rd. asked what funds were needed to complete the sewer project. Selectman Eliopoulos stated that the Town is committed to completing the sewer project. Mr. Eliopoulos commented that there is a problem with entitlements. Also the town needs to explain what the impact would be if an override does not pass.

5. Rene Larouche, resident- Dunshire Drive commented on the elimination of the leaf pick-up that has lead to the dumping of leaves in a brook near his home. Mr. Larouche stated that a by-law concerning dumping leaves needs to be passed. Mr. Cohen commented on the creation of a committee that could discuss the feasibility of a future leaf pick-up program.

5. Joan Hayes, resident- Steeple Drive asked if the Board is planning on placing any additional monies back into the school's budget to hire back any teachers lost in future cuts. Selectman Chase replied that the question can not be answered at this time by the Board, and that the School Committee must address funding issues relative to their budget.

5. Linda Fall, resident- Littleton Rd. thanked the Board for their time and asked them to consider accommodating people in the audience who are hearing impaired.

   Motion: Selectman Chase made a motion to adjourn at **9:15pm**. Selectman Dalton seconded the motion. Motion unanimously carried.

Respectfully submitted,

Patrice Garvin

Notice Meetings of Town Departments and all Town Boards

As required by Chapter 39, G.L.

~ Please Press Firmly and Print ~

Name Of Department or Board: Planning Board

Date of Meeting: February 26, 2007 **Time:** 7pm

Location: Town Offices Room Number: Library

Name of Building

52 Bellingham

Street Address

Elizabeth A Delaney

Town Clerk's Signature

Clerk/Bd. Member & Date

RECEIVED
06 DEC -4 AM 9:49
TOWN OF CHELMSFORD
ELIZABETH L. DELANEY
TOWN CLERK

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA
February 26, 2007

7:00 p.m. **Call to Order**

Public Service Announcements

- BOS Candidate Introductions
- Chelmsford Scholarship Fund Month – Terry Gallagher

Open Session

Approval of Minutes

- Regular Meeting Minutes – January 22, 2007
- Regular Meeting Minutes – February 5, 2007

Town Manager Appointments

- Fire/DPW Facility Planning Committee
- Solid Waste/Recycling Advisory Committee

Scheduled Business

7:30 p.m. **Change in Manager** – American Legion Post 268, Groton Rd.

7:35 p.m. **Change in Manager** – Ground Round, 185 Chelmsford St., and PKS Realty dba Best Western, 187 Chelmsford St.

7:40 p.m. **Change in Manager** – Szechuan Chef, Vinal Square

7:45 p.m. **BOS Vote: Support Resolution for Neoprint Inc.**

Unscheduled Business

- **BOS Vote:** Russell Rd. Release Deeds

Spring 2007 Town Meeting Warrant

- **Article 25** - Bylaw Amendment: Rescind STM 1956 Vote –Pond St. Closure
- **Articles 32, 33, 34** – Town Owned Land: 12, 15 Bentley Land and 3A Stillwater Dr.

Town Managers Reports

Executive Session

Next Meeting: March 12, 2007

***** This meeting is televised. *****

TOWN OF CHELMSFORD
BOARD OF SELECTMEN MINUTES
Monday, February 26, 2007
50 Billerica Road, Town Offices

Attending:
Michael F. McCall, Selectman Chairman
Samuel Chase, Selectman Vice Chair
William F. Dalton, Selectman Clerk
Thomas A. Newcomb, Selectman
Philip M. Eliopoulos, Selectman

Paul Cohen, Town Manager

7:05pm
Chairman McCall called the meeting to order.

Public Service Announcements:
BOS Candidate Introductions

1. Alex Buck thanked the Board for their time and gave a brief outline of his positions on the important issues facing the Town. Mr. Buck referred to the recent and upcoming changes to the Town Manager, Superintendent and Board of Selectmen. Mr. Buck also referred to Chapter 40B's, the budget, and Chapter 70 funding.
2. Clare Jeannotte thanked the Board and gave a brief personal and professional history. Ms. Jeannotte explained why she is running for the Board of Selectmen and acknowledged the financial challenges the Town is facing.
3. Pat Wojtas gave a brief history and noted that she is an elected member of the Board of Library Trustees. Ms. Wojtas listed the main issues she feels the Town is facing including the budget, quality of life issues, and the need for more involvement of residents.

Chelmsford Scholarship Fund Month-Terry Gallagher
Terry Gallagher, Member of the Chelmsford Scholarship Committee, asked that the Board proclaim the month of March Chelmsford Scholarship Fund Month. Selectman Chase read the written proclamation, signed by all of the Board, that the Month of March be proclaimed the Town of Chelmsford Scholarship month. The proclamation calls on citizens to support and encourage the officers and directors of this organization in their annual fund drive.

Open Session:

1. Douglas Hausler, on behalf of the Chelmsford Business Association (CBA), invited residents to the first candidate debate on Thursday March 1st at 7pm.

Approval of Minutes:

Motion: Selectman Chase made a motion to release the January 22, 2007, regular meeting minutes. Selectman Dalton seconded the motion. Motion carried.

Motion: Selectman Chase made a motion to approve the February 5, 2007, regular meeting minutes. Selectman Dalton seconded the motion. Motion carried.

Town Manager Appointments:

1. Mr. Cohen requested that the Board approve the appointments for the Consolidated Public Works & Fire Headquarters Facility Committee, with Pat Maloney as chair.

Motion: Selectman Chase made a motion to approve the appointments to the Planning Committee for a Consolidated Public Works & Fire Headquarters Facility Committee: Patrick Maloney as Chair, James Pearson, Dennis Greenwood, John Parow, John Kivlan, William Dalton, David Turocy, Paul Erikson and Henry Houle. Selectman Dalton seconded the motion. Motion carried.

2. Mr. Cohen requested that the Board approve the appointments for the Solid Waste Recycle Task Force, with Mark Grant as chair.

Motion: Selectman Chase made a motion to approve the appointments to the Solid Waste Recycle Task Force: Mark Grant as Chair, Philip Eliopoulos (or Susan Gates), Peter Dulchino, Donald Vandyne, Elaine MacDonald, Allison Powers and Douglas Drake. Selectman Dalton seconded the motion. Motion carried.

Change in Manager- American Legion Post 268, Groton Rd.:

Peter Wetherbee requested a change in Manager to George Bruno.

Motion: Selectman Chase made a motion to approve the change of manager for the American Legion Post #313, on Groton Rd., from William Nichels to George Bruno. Selectman Dalton seconded the motion. Motion carried.

Change in Manger- Ground Round, 185 Chelmsford St., and PKS Realty dba Best Western, 187 Chelmsford St:

Douglas Hausler, representing the applicant, requested that Carl Anderson be listed as the new manager for both facilities.

Motion: Selectman Chase made a motion to approve the change of manager for the Ground Round, 185 Chelmsford St., and PKS Realty doing business as Best Western to Ronald Carl Anderson. Selectman Dalton seconded the motion. Motion carried.

Change in Manager- Szechuan Chef, Vinal Square:

Sheu Lui requested a change in manager to Roy Lamb. Selectman Newcomb noted that the CORI check was filed under the name Rob Lamb not Roy Lamb and needed to be resubmitted under the correct name.

Motion: Selectman Chase made a motion to approve the change of manager for the Szechuan Chef, Vinal Square, from Wei-Min Cheng to Roy Lamb; subject to confirmation of a favorable CORI check for Roy Lamb. Selectman Dalton seconded the motion. Motion carried.

BOS Vote- Support Resolution for Neoprint Inc.:

Richard Errico, Sales and Marketing Manager Neoprint Inc. addressed the Board to answer any questions they may have. Mr. Cohen explained the reasoning for a vote from the Board.

Motion: Selectman Chase asked that the minutes indicate that, due to the inactive status of the Chelmsford Industrial Development Financing Authority, the Chelmsford BOS has been asked to consider and act upon the proposed project by Neoprint, Inc. in Chelmsford by requesting that the Massachusetts Development Finance Agency assume the role of the Chelmsford Industrial Development Financing Authority in financing this project in the Town.

Motion to adopt the following resolutions:

Whereas the Borrower has proposed a project comprising industrial development facilities, to be owned and used by Neoprint, Inc., in the commercial printing business, consisting generally of any or all of: (i) the acquisition and installation of machinery, equipment, and furnishings at 11 Alpha Road, Chelmsford Massachusetts and (ll) the payment of costs of issuance of the Bonds; and whereas the Borrower made application to the Agency for the financing of the Project through the issuance of Industrial Revenue Bonds; and whereas the Chelmsford Board of Selectman wishes to request that the Massachusetts Development Finance Agency assume the role of the Chelmsford Industrial Development Financing Authority in issuing the Bonds.

Now, therefore, be it resolved that the Chelmsford Board of Selectmen hereby requests that the Massachusetts Development Finance Agency assume the role of the Chelmsford Industrial Development Financing Authority in financing the Project by issuance of the Bonds pursuant to Massachusetts General Laws Chapter 23G and Chapter 40D to finance the Project and that the Board cause a copy of this resolution to be delivered to the Massachusetts Development Finance Agency.

The foregoing resolution, having been put to a roll call vote, the result was as follows:

For the Resolution:	Mr. Newcomb	Aye
	Mr. Dalton	Aye
	Mr. Chase	Aye
	Mr. Eliopoulos	Aye
	Mr. McCall, Chair	Aye

Against the Resolution: None

BOS Vote- Russell Rd. Release Deeds:

Selectman Eliopoulos gave a brief history to residents concerning the Russell Road dispute. Selectman Eliopoulos noted that an agreement had been reached that appears satisfactory to the affected residents.

Motion: Selectman Chase made a motion that the Town of Chelmsford not continue to claim interest, if any, in Lot A (Malewicz), Lots C and D (Newton), and Lot E (Madden), on Russell Road along Freeman Lake in Chelmsford MA. It is further resolved that, upon receipt of a signed Disclosure of Beneficial Interest Form by the parties Malewicz, Newton, and Madden, together with their payment of consideration in the amount of $1.00, a Release Deed will be endorsed by the Chelmsford Board of Selectmen. Selectman Dalton seconded the motion. Motion carried.

Spring Town Meeting Warrant:

Article 25- Bylaw Amendment to Rescind STM 1956 Vote, Pond St. Closure

1. Richard Lynch, resident-Parkerville Rd. stated that Pond Street was one of the oldest streets in Chelmsford and that the road needed to be paved. Mr. Lynch was also in favor of opening the road year round to the public.
2. Bowman Evans, resident- Pond St. was in favor of paving the road and opening it to year round traffic.
3. Collin Grant, resident- Pond Street was in favor of opening the road year round to the traffic.

Article 32, 33, 34- Town Owned Land, 12, 15 Bentley Land and 3A Stillwater

Selectman Chase gave a brief history of why the Board is discussing particular parcels of Town Owned land. Mr. Cohen noted that an independent engineer will survey the land to address any drainage issues.

1. James Kruglak, resident 17 Bentley Lane asked how much the Town was paying for the engineer. Mr. Cohen replied that the engineer would cost $1500.
2. Ronald Vanliew, resident- 6 Hemlock Dr. stated that the Town was disregarding the Conservation Commission and was unsure why the Town was wasting time and money on an engineer. Selectman Newcomb stated that the plan was conceptual. Any plan would have to be approved by the Conservation Commission and the Board of Appeals. Selectman Newcomb added that the purpose of the discussion by the Board was to conduct due diligence before Town Meeting.
3. Scott Peluso, resident- 10 Bentley Lane gave a presentation to the Board that consisted of slides from the floods of spring 2006. The slides showed a high level of water on the parcel. Mr. Peluso noted that any building on the land would change the water distribution and impact a large amount of people in the surrounding homes.
4. Dan Brigham, resident-11 Bentley Lane stated that the water is a factor and can be very high.
5. Dick Lindsey, resident- 14 Bentley Lane noted that he inquired about purchasing the land several years ago but he was told the lot was not a buildable lot. Mr. Lindsey stated that the lots function was for drainage.
6. Edward Anderson, resident- 8 Bentley Lane stated that the town was violating the conservation laws because a structure could not be built within one hundred feet of a wetland.

7. Gail Kruglak, 17 Bentley Lane was concerned that the Town was implying that if the abutters do not buy the parcel then the Town would sell it. Selectman Newcomb noted that if turns out that it is not a buildable lot then no one would buy it. Selectman Newcomb added that the warrant is asking only for the permission to be able to convey the property.
8. Frances McDougall, Precinct 1 Town meeting Representative, stated that the article would not pass at Town Meeting if Town Meeting representatives determined that the article is not in the best interests of the Town and that the Board of Selectmen meeting is not the place to discuss the issue.
9. Walter Shea, resident- 10 Longmeadow Rd. asked what the value of the property is on Bentley. Selectman Dalton noted that since it is under twenty thousand dollars it does not have to go to bid.
10. Bruce Harper, resident 9 Harvard St. urged the Board to withdraw the article.
11. Sandy Butt, resident 3 Stillwater expressed concerns with drainage on the Stillwater property. Mr. Butt was also concerned with the blasting that would occur if the lot was developed. Selectman Dalton noted that there are regulations for blasting.

Town Manager Reports:

1. Mr. Cohen stated that the ribbon cutting ceremony for the new auditorium will be held on April 29th. Mr. Cohen suggested having the spring Town meeting at the auditorium. The Board was in agreement that the spring Town Meeting should be held at the auditorium.
2. Mr. Cohen reported that a response had been written to the NCWD Ad Hoc Committee recommendations. Mr. Cohen noted that the fuel storage tank, which was a part of the committee's recommendations, has been removed.

Motion: Selectman Chase made a motion to endorse and release the Town Manager's response to the NCWD Ad Hoc Committee's final report/recommendations to the Board of Selectmen. Selectman Newcomb seconded the motion. Motion carried.

3. Mr. Cohen reported that the Murdoch Charter School has leased the Old Town Hall for $50,000 to run its ninth grade program. Mr. Cohen added that the schools plan to add a grade every year to their program. Mr. Cohen stated that there is no plan to modify the interior or exterior of the building.
4. Mr. Cohen reported a meeting to extend the commuter rail into Nashua. Mr. Cohen asked the Board if they wanted to devote time and effort to this issue as well as a railway stop in North Chelmsford. The Board was in favor of pursuing a railway stop in North Chelmsford.
5. Mr. Cohen updated the Board on Katrina Road. Mr. Cohen stated that the gas bill received was beyond expectations and the Town has evicted all tenants. Mr. Cohen met with officials of Mass Development and the DEP concerning the extent of potential site contamination.

Motion: Selectman Chase made a motion to continue action on Katrina Road by the Town Manager. Selectman Dalton seconded the motion. Motion carried.

6. Mr. Cohen reported that the MA Development Finance Agency located on Turnpike Road will be moving because they are unable to expand in that location.
7. Mr. Cohen reported that a notice had been delivered at 281 Princeton Street.
8. Mr. Cohen reported that the New England Police Benevolent Association has been certified as the new bargaining unit representing Chelmsford Police officers and is in the process of scheduling negotiations.
9. Mr. Cohen reported that Verizon has been working on the poles in the center and the work should be completed May 1st.

Selectmen Referrals:

Selectman Newcomb made the following referral(s):

1. Selectman Newcomb requested that at the next meeting the Board discuss the top five priorities to send to the state representatives. Selectman Dalton noted that letters had been sent in the past and the issues in those letters should be reprised. Selectman Eliopoulos suggested that the letters be sent to the selectmen prior to the next meeting.
2. Selectman Newcomb reported that the School Building Committee has been meeting and that the auditoriums walk through is scheduled with the Board next week. Selectman Newcomb commented on the hard work put in by the chair of that committee, Pat Mahoney.

Selectman Dalton made the following referral(s):

1. Selectman Dalton reported that he attended a NMCOG meeting. Selectman Dalton noted the recent article in the Lowell Sun listing the most dangerous intersections in the local area.

Selectman Chase made the following referral(s):

1. Selectman Chase reported that he had the opportunity to join other School Committee members to lobby the state regarding the Chapter 70 formula. Selectman Chase stated that there were eleven towns in the state that are still under their target number for Chapter 70 funding from 2002. Selectman Chase thanked Ms. Kathy Duffett for her efforts as well as Initiative for Local Aid member Donna Newcomb.

Selectman Eliopoulos made the following referral(s):

1. Selectman Eliopoulos commented on the February 12, 2007, Public Input meeting and hoped to conduct a similar type meeting in the fall.
2. Selectman Eliopoulos reported that there is a Sound Barrier meeting scheduled for March 6th but a time and location is yet to be determined.

Chairman McCall had no referrals.

Press Questions:

Rita Savard of the Lowell Sun requested the names of the individuals who were appointed to the Solid Waste Recycle Task Force and the Consolidated Public Works & Fire Headquarters Facility Committee.

Motion: Selectman Chase made a motion to adjourn into Executive Session for the purpose discussing potential litigation, not to return to Open Session, at **10:00pm**. Selectman Dalton seconded the motion. Motion unanimously carried.

Selectman Newcomb	Aye
Selectman Dalton	Aye
Selectman Eliopoulos	Aye
Selectman Chase	Aye
Chairman McCall	Aye

Respectfully submitted,

Patrice Garvin

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA
March 12, 2007

7:00 p.m. **Call to Order**

Public Service Announcements

Open Session

Approval of Minutes

- Public Input Session – February 12, 2007
- Regular Meeting Minutes – February 26, 2007
- Executive Session Meeting Minutes – February 26, 2007

Town Manager Appointments and Contract Awards

- Cleaning Services Contract – Town Offices

Scheduled Business

7:30 p.m. **BOS Report: BOS Priorities for Legislative Delegation**

7:45 p.m. **Application for Common Victualer License -** Approval of Second Floor Seating - Village Grille, 1 Central Square

7:50 p.m. **Application for One Day All Alcohol License –** St. John the Evangelist Church, 115 Middlesex St.

Unscheduled Business

- BOS Vote to Post Spring 2007 Town Meeting Warrant

Town Managers Reports

Executive Session

Next Meeting: March 26, 2007

***** This meeting is televised. *****

TOWN OF CHELMSFORD
BOARD OF SELECTMEN MINUTES
Monday, March 12, 2007
50 Billerica Road, Town Offices

Attending:
Michael F. McCall, Selectman Chairman
Samuel Chase, Selectman Vice Chair
William F. Dalton, Selectman Clerk
Thomas A. Newcomb, Selectman
Philip M. Eliopoulos, Selectman

Paul Cohen, Town Manager

7:10pm
Chairman McCall called the meeting to order.

Open Session:

1. Stephanie Bush, daughter of Selectman Dalton, informed the Board of a blood drive being held on May 5th at St. Mary's Church from 9am-2pm. Ms. Bush stated that her daughter suffered from an immune deficiency and urged residents to come and give blood. Donations will be given to the Children's Hospital and the Jimmy Fund.

Approval of Minutes:

Motion: Selectman Chase made a motion to approve the Public Input Session minutes from February 12, 2007; Amended: Number sequence off. Selectman Dalton seconded the motion. Motion carried.

Motion: Selectman Chase made a motion to approve the regular session minutes for February 26, 2007. Selectman Dalton seconded the motion. Motion carried.

Motion: Selectman Chase made a motion to approve the executive session Meeting minutes for February 26, 2007, not for release. Selectman Dalton seconded the motion. Motion carried.

Town Manager Appointments:

1. Mr. Cohen stated that three bids were received for cleaning services for the Town. Mr. Cohen requested that the Board approve Sani-King Inc of Burlington MA, as low bidder at $29,700.

Motion: Selectman Chase made a motion to approve the contract award for Town office cleaning services to Sani-King Inc of Burlington MA, for the lowest bid of $29,700 for the first year with the Towns option to extend for years two and three (each at $30,294).

Town Manager Reports:

1. Mr. Cohen reported on the progress of the response to the NCWD Final Report and recommendations. Mr. Cohen stated that he has been working with Mr. Pearson to address concerns with the soil pile on the DPW site.
2. Mr. Cohen reported on the governor's budget and the minor increase in Chapter 70 funding for the Town.
3. Mr. Cohen reported that at the next School Committee meeting he would be presenting the Town's five year budget forecast.
4. Mr. Cohen reported that the drainage study on Bentley Drive would be held off until the end of the month.
5. Mr. Cohen reported on different social events being held in Town over the next two weeks.

BOS Report- Legislative Priorities:
Selectman Newcomb stated the following priorities: Chapter 70 funding for Town, Reform to 40B, the School Building Fund (mentioning the ranking of school buildings in the state), Sound Barriers and the Bike Path.

Selectman Eliopoulos gave an update on the meeting he and Mr. Cohen had with Governor Patrick and the states Transportation Secretary. Selectman Eliopoulos stated that the Sound Barriers were discussed along with the Bike path.

Selectman Chase stated the following priorities: Chapter 70 funding, Affordable Housing-40B, Utility Property exemptions, Bike Path and Sound Barriers. Selectman Eliopoulos supported the priorities mentioned and added the issue of redistricting and the extension of MBTA line. Selectman Dalton supported all the priorities mentioned including the extension of the train line. Selectman Chase suggested that Representatives Hall and Bob Hargraves (R-Groton) be invited to the next selectman's meeting to discuss the priorities.

Common Victualer License- Approval of Second Floor Seating, Village Grille, 1 Central Square:
Allen and Pauline Curtis, owners of the Village Grille, requested a CVL for second floor seating.

Motion: Selectman Chase made a motion to approve the second floor seating at the Village Grill, 1 Central Square subject to the signed approval from the Building Inspector. Selectman Dalton seconded the motion. Motion carried.

One Day All Alcohol License- St. John the Evangelist Church, 115 Middlesex St.:
Jane Sacce, Tyngsboro, MA requested a one day license for March 17, 2007, from 6pm-12am.

Motion: Selectman Chase made a motion to approve a One Day All Alcohol license to St. Johns Evangelist Church for March 17, 2007, from 6pm-12am. Selectman Dalton seconded the motion. Motion carried.

Town Meeting Warrant:

Motion: Selectman Chase made a motion to approve the posting of the Town Meeting Warrant for the spring 2007 Town Meeting. Selectman Dalton seconded the motion. Motion carried.

Selectmen Referrals:

Selectman Eliopoulos made the following referral(s):

1. Selectman Eliopoulos reported that he attended the School Committee meeting and discussed the authorization to lease the land near the high school, which is Article 22 on the spring Town Meeting Warrant. There had been discussion of building an alumni center for the community.
2. Selectman Eliopoulos reported on his meeting with Governor Patrick and his Transportation Secretary. Selectman Eliopoulos noted that the Chapter 70 funding was briefly discussed.
3. Selectman Eliopoulos noted that meetings with Russell Road residents were continuing.

Selectman Chase made the following referral(s):

1. Selectman Chase reported that the School Committee is continuing its Chapter 70 lobbying efforts. There was a recent effort at the State house with members of the School Committee and the Initiative for Local Aid. Selectman Eliopoulos suggested having a meeting or caucus inviting representatives from communities who are being hurt by the Chapter 70 funding formula. Chairman McCall suggested a similar type meeting to discuss Affordable Housing-40B.

Selectman Dalton made the following referral(s):

1. Selectman Dalton reported on the recent meeting with the Initiative for Local Aid.

Selectman Newcomb made the following referral(s):

1. Selectman Newcomb asked about the recent issue of a meals tax for the Town. Mr. Cohen noted that he did not have the exact data and projections for a meal tax.
2. Selectman Newcomb asked about Verizon coming into Town creating competition. Mr. Cohen noted that there are bills on the federal level, and that Verizon has not proactively approached the Town with a proposal, which is the first step in the process of being considered.
3. Selectman Newcomb commented on the auditorium tour that took place on February 28. Selectman Newcomb further commented on the ribbon cutting ceremony for the auditorium and how the school department would take control of running the auditorium.

Chairman McCall made the following referral(s):

1. Chairman McCall commented on correspondence he received from residents concerning 40B in Town.

Press Questions:

None

Motion: Selectman Chase made a motion to adjourn at **8:25pm**. Selectman Dalton seconded the motion. Motion unanimously carried.

Respectfully submitted,

Patrice Garvin

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA
March 26, 2007

7:00 p.m. **Call to Order**

Public Service Announcements

- **Proclamation** – Motorcycle Awareness and Safety Month
- **Acceptance of Donation** – Benches for Vinal Square from the Sons of the American Legion

Open Session

Approval of Minutes

- Regular Meeting Minutes – March 12, 2007

Town Manager Appointments and Contract Awards

- Warren Avenue Culvert Rehabilitation – Kodiak Corporation

Scheduled Business

7:30 p.m. **Request for Redemption -** 281 Princeton St.

Unscheduled Business

Town Managers Reports

Selectmen Referrals

Executive Session

Next Meeting: April 9, 2007

***** This meeting is televised. *****

TOWN OF CHELMSFORD
BOARD OF SELECTMEN MINUTES
Monday, March 26, 2007
50 Billerica Road, Town Offices

Attending:
Michael F. McCall, Selectman Chairman
Samuel Chase, Selectman Vice Chair
William F. Dalton, Selectman Clerk
Thomas A. Newcomb, Selectman
Philip M. Eliopoulos, Selectman
Paul Cohen, Town Manager

7:10pm
Chairman McCall called the meeting to order.

Public Service Announcements:

1. Motorcycle Awareness and Safety Month: Selectman Chase read the proclamation naming the month of April as Motorcycle Awareness and Safety Month. Louisa Telecomno a member of the all female motorcycle club thanked the Board of Selectmen. Mr. Cohen noted that a sign would be placed regarding motorcycle safety in front of the McCarthy School.

Motion: Selectman Chase made a motion to approve the placing of the *Motorcycles are Everywhere* sign on the front lawn of the McCarthy Middle School. Selectman Dalton seconded the motion. Motion carried.

2. Chairman McCall noted the donation of benches at the Vinal Square Gazebo. Stephen Baron, resident-Groton Road noted that he would donate two benches that he would install and construct. Chairman McCall thanked Mr. Baron for his donation.

3. Colleen Stansfield, resident 5 Field Street and Precinct 5 Town Meeting Representative reported that there would be another Chapter 70 rally at the State House on April 25, 2007 from 12:30pm-1:30pm. Selectman Eliopoulos commented on last year's rally and the importance of the effort for the Town.

Presentation to Departing Selectmen:
Selectman Chase presented Selectman Newcomb and Chairman McCall with Selectman's chairs in recognition of their service on the Board and to the Town. Selectman Newcomb and Chairman McCall gave statements to the Board expressing their thoughts on their time served.

Open Session:
None

Approval of Minutes:

Motion: Selectman Chase made a motion to approve the regular session minutes from March 12, 2007. Selectman Dalton seconded the motion. Motion carried.

Town Manager Appointments:

Mr. Cohen requested that the Board approve the Warren Avenue Culvert Rehabilitation bid, supported by the Town Engineer, to be awarded to the Kodiak Corporation in the amount of $28,000.

Motion: Selectman Chase made a motion to approve the contract award to Kodiak Corporation for $28,000.00 for the Warren Avenue Culvert. Selectman Dalton seconded the motion. Motion carried.

Chairman McCall noted that the agenda item regarding the joint meeting with the School Committee to vote on the Nashoba Valley Technical High School Committee appointments would be postponed until the next Board meeting.

Request for Redemption- 281 Princeton Street:

Kerry Speidel stated that Mr. Thomas Brown wanted to pay the taxes on the foreclosed property that the Town now owns. Atty. Joseph Gallant, representing Mr. Thomas Brown and Ms. Karen Brown, stated that a loan had been approved and a closing date had been scheduled. Mr. Gallant asked the Board to vote for redemption of the property.

Motion: Selectman Chase made a motion to approve the request of Thomas F. and Karen A. Brown, Trustees for KCB Realty Trust, to redeem the property at 281 Princeton Street, Chelmsford MA, said property having been taken by the Town of Chelmsford for nonpayment of real estate taxes; provided, that said approval be subject to the Town's receipt of $21,703.44 by Bank or Cashier's check on or before April 13, 2007. Selectman Dalton seconded the motion. Motion carried.

Town Manager Reports:

1. Mr. Cohen reported that the Firefighters Local 1839 had come to a contract agreement with the Town, on terms proposed by Mr. Cohen. Mr. Cohen noted that the firefighters agreed to an increase in insurance co-pays from $5 to $15, provided that the remaining unions agree.

Motion: Selectman Chase made a motion to approve the labor contract in principal between the Town of Chelmsford and Chelmsford Firefighters Local 1839, as agreed by the parties, to be effective July 1, 2006 through June 30, 2009, and incorporating the changes outlined in the Memorandum of Agreement Between the Town of Chelmsford and Chelmsford Firefighters local 1839 dated March 16, 2007. Selectman Dalton seconded the motion. Motion carried.

2. Mr. Cohen reported on Nashoba Valley Technical High School's budget decrease. Mr. Cohen stated that he would present the final budget to the Fincom on Thursday.
3. Mr. Cohen reported that a special election to fill Rep. Meehan's unexpired term would be held in the summer and would cost approximately $37,100.

4. Mr. Cohen reminded residents who plan to vote by absentee ballot that ballots need to be returned to the Town Clerk by Monday, April 3, 2007. Mr. Cohen noted that new voting machines were received for auditory and visibility impaired residents.
5. Mr. Cohen reported that the Town received an award on its Town web page based on the new layout and the improved quality of information.
6. Mr. Cohen reported that the issues on Katrina Road are being worked out.
7. Mr. Cohen commented on the good work done by Town Counsel in solving the Princeton Property dispute.

Selectmen Referrals:

Selectman Newcomb made the following referral(s):

1. Selectman Newcomb thanked the Board and noted that the School Building Project is winding down. Selectman Newcomb commented that the Auditorium's sound system is being checked and that he is looking forward to the ribbon cutting ceremony.

Selectman Dalton made the following referral(s):

1. Selectman Dalton asked about the age limits that apply to taxpayers who are seeking abatements and asked Ms. Speidel to address the issue. Ms. Speidel stated that she was unsure of the age factor and would get back to the Board. Ms. Speidel noted that the deadline to file for abatement is April 2, 2007.
2. Selectman Dalton noted special events occurring throughout Town that he had attended.

Selectman Chase made the following referral(s):

1. Selectman Chase gave an update on the lobbying progress on Chapter 70 monies. Selectman Chase noted a letter had been sent to Legislators who represent 38 communities (including Chelmsford) that are currently below their 2002 Chapt. 70 funding levels. The letter urges the Legislators to step up their lobbying efforts to address lack of funding for their communities.

Selectman Eliopoulos made the following referral(s):

1. Selectman Eliopoulos reported that he received a call from a resident on Bentley Lane. Selectman Eliopoulos stated that the resident is looking for more information regarding the Bentley property.
2. Selectman Eliopoulos reported that the state is now more receptive to a new study for the Route 3 sound barriers.
3. Selectman Eliopoulos commented on the April 3rd ballot and the Charter and Community Preservation questions.

Chairman McCall made the following referral(s):

1. Chairman McCall commented on the efforts to make Chelmsford a more environmentally friendly place.
2. Chairman McCall commented on the Community Preservation Committee's ballot question and the need for more funds for the Town to purchase open space.

Press Questions:
None

Motion: Selectman Chase made a motion to adjourn at **8:00pm**. Selectman Dalton seconded the motion. Motion unanimously carried.

Respectfully submitted,

Patrice Garvin

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA
April 9, 2007

7:00 p.m. **Call to Order**

Scheduled Business

7:00 p.m.
- Joint Meeting with School Committee to Appoint Nashoba Valley Technical High School Committee Members

Public Service Announcements

- **Proclamation –** Arbor Day, April 27, 2007
- **Proclamation** – National Public Safety Telecommunicator Week April 8th – 14th

Open Session

Approval of Minutes

- Regular Meeting Minutes – March 26, 2007

Unscheduled Business

- Spring Town Meeting Warrant

Town Manager Reports

Selectmen Referrals

Executive Session

Next Meeting: April 23, 2007

***** This meeting is televised. *****

TOWN OF CHELMSFORD
BOARD OF SELECTMEN MINUTES
Monday, April 9, 2007
50 Billerica Road, Town Offices

Attending:
Samuel Chase, Selectman Chairman
Philip M. Eliopoulos, Selectman Vice Chair
Clare Jeannotte, Selectman Clerk
Patricia Wojtas, Selectman
William F. Dalton, Selectman
Paul Cohen, Town Manager

7:00pm
Chairman Chase called the meeting to order. Chairman Chase introduced the new and returning Board members to the community.

Joint Meeting with School Committee to Appoint Nashoba Valley Technical High School Committee Members:
Attending- Kathy Duffett, Christina Walsh, Angelo Taranto, Kevin Porter, and Evelyn Thoren.

Moderator Dennis McHugh facilitated the meeting to appoint new members to the Nashoba Valley Technical High School Committee, and recognized a quorum. Mr. McHugh asked for the meeting to be recorded by the clerk; so noted. Ms. Jeannotte excused herself from the joint meeting, due to a conflict.

Mr. McHugh asked for nominations for the position of regular member of the Nashoba Valley Technical High School Committee.

Nomination: Selectman Dalton nominated Don Ayer. Ms. Thoren seconded the nomination.

Motion: Mr. McHugh asked for a motion to close the nominations. Selectman Dalton made a motion to close the nominations. Ms. Thoren seconded the motion. Motion unanimously carried.

Motion: Selectman Dalton made a motion to approve Don Ayer as a regular member of the Nashoba Valley Technical High School Committee. Ms. Thoren seconded the motion. Motion unanimously carried.

Mr. McHugh asked for nominations for an alternate member to serve on the Nashoba Valley Technical High School Committee.

Nomination: Selectman Dalton nominated Bob Joyce. Ms. Thoren seconded the nomination.

Motion: Mr. McHugh asked for a motion to close the nominations. Selectman Dalton made a motion to close the nominations. Ms. Thoren seconded the motion. Motion unanimously carried.

Motion: Selectman Dalton made the motion to approve Bob Joyce as an alternate member of the Nashoba Valley Technical High School Committee. Ms. Thoren seconded the motion. Motion unanimously carried.

Motion: Selectman Dalton made a motion to adjourn the joint meeting of the Board of Selectmen and the School Committee at **7:05pm**. Ms. Thoren seconded the motion. Motion carried.

Selectman Dalton	Aye
Selectman Eliopoulos	Aye
Selectman Wojtas	Aye
Selectman Jeannotte	Aye
Chairman Chase	Aye
Evelyn Thoren	Aye
Kevin Porter	Aye
Kathy Duffett	Aye
Christina Walsh	Aye
Angelo Taranto	Aye

Public Service Announcements:

1. Arbor Day- Lorraine Lywer of the Chelmsford Garden Club recognized April 27, 2007, as Arbor Day. Ms. Lywer noted events at the Garrison House starting at 3:30pm. Selectman Eliopoulos stated that it was Town policy to replant a tree when one needed to be removed.
2. National Public Safety Telecommunicator Week April 8th – 14th - Richard Demers, police dispatcher, read a statement commenting on the importance of the 9-1-1 system in Town. Mr. Demurs gave a brief history of the system and thanked the Board for the proclamation. Selectman Eliopoulos read the proclamation into the record naming the week of April 8th – April 14th as National Public Safety Telecommunicator Week. Chief Murphy added his thanks to the Board and the Town Manager and recognized the nine public safety dispatchers in the Town.

Open Session:

None

Approval of Minutes:

Motion: Selectman Eliopoulos made a motion to approve the regular session minutes from March 26, 2007. Selectman Jeannotte seconded the motion. Amended- correction Colleen Stansfield is a Precinct 6 Town Meeting Representative. Motion carried.

Town Manager Reports:

Mr. Cohen updated the Board on the activities of the Town's Insurance Advisory Committee:

1. Co-Payments- Mr. Cohen reported that the Advisory Committee would recommend an increase in co-payments; an office visit from $5 to $10 and emergency room visit from $25 to $50.

2. Town Dental Plan- Mr. Cohen reported that the Advisory Committee would recommend a change in the dental provider from Guardian to Delta Dental. Mr. Cohen stated that this would be effective July 1, 2007.
3. Flexible Spending Plan- Mr. Cohen outlined the plan and the benefits to Town employees. Mr. Cohen stated that the cost for participation would be $4.50 per month, which is a flat fee. Ms. Jeannotte asked if employees would be informed about the specifics of the plan. Mr. Cohen noted that a session had been scheduled with employees and a benefit person.

State Representatives Jeff Hall and Thomas Golden:
Chairman Chase outlined two bills that both representatives sponsored in the House: House 12-33, which considers the income of individual households in a community when determining the percentage of affordable housing relative to total housing stock, and House 12-34, which deletes section 20-23 of the 40B law, effectively repealing the processes relating to comprehensive permitting.

Representative Hall commented on House 12-33 and 12-34 and how the bills have created dialog in the state about affordable housing. Representative Hall requested letters of from the Town concerning the two bills.

Representative Golden stated that House 12-34 was a starting point and there was a need to educate the House on 40B. Representative Golden stated that towns needed to get back some local control.

Selectman Dalton asked about the mobile home park in Town and why that was not counted as affordable housing. Representative Golden noted that the idea of mobile housing being counted as affordable housing has not taken hold in the house, but could be passed as an executive order. Selectman Dalton noted the problem of the Town being almost built out. Chairman Chase noted the issue of local control and the need for that part of the law to change. Selectman Eliopoulos suggested a 40B forum with a panel consisting of members from the Board of Appeals, Selectmen, and state Representatives. Selectman Wojtas commented that residents opposing the Walnut Grove proposal formed a group that became well educated on the 40B process, and contributed significantly to the withdrawal of that project.

Mr. Cohen reported on the Cell Tower issue on 495. Selectman Eliopoulos gave a brief update to the representatives on the issue. Mr. Hall requested a letter be sent on the issue to the state representatives. Mr. Hall also requested a letter be sent regarding the bike path. Representative Hall and Representative Golden thanked the Board for their questions and concerns.

Town Meeting Warrant:
Mr. Cohen suggested the Board take up the articles at the next regular meeting.

Town Manager Reports *Cont.*:

1. Mr. Cohen reported that a meeting would be held to address the Billerica Power Treatment Plant, on April 24, 2007.
2. Mr. Cohen reported that additional Chapter 70 money would be received as a result of the recent House and Senate joint resolution on Chapt. 70 aid distribution.
3. Mr. Cohen reported that the Town was $500,000 over the snow and ice budget and anticipated a change in the budget at Town Meeting.

Selectmen Referrals:

Selectman Wojtas made the following referral(s):

1. Selectman Wojtas thanked the community for their votes
2. Selectman Wojtas reminded residents about the 1-Book program being sponsored by the Town Library.
3. Selectman Wojtas commented on runners from Chelmsford running in the Boston Marathon.

Selectman Jeannotte made the following referral(s):

1. Selectman Jeannotte thanked the community for their vote.
2. Selectman Jeannotte noted the environmental event occurring on the common on April 14th.
3. Selectman Jeannotte asked about the updates for the FY07 budget. Mr. Cohen referred to his earlier comments.

Selectman Eliopoulos made the following referral(s):

1. Selectman Eliopoulos reminded residents about the upcoming rally on Chapter 70 on April 25th at the State House.
2. Selectman Eliopoulos reported that there will be a meeting at Holy Cross for elected officials that relates to public sector finance.
3. Selectman Eliopoulos commented on the Drainage Study on Bentley and Stillwater that had just been received by the Town Manager. Mr. Cohen noted that the report just came in and that the Board had not reviewed it yet.
4. Selectman Eliopoulos reported that the sound barrier meeting was postponed but he would follow-up.

Selectman Dalton made the following referral(s):

1. Selectman Dalton reported that he attended the first Fire/DPW Facility Committee meeting.
2. Selectman Dalton commented on the good work of the CBA and their efforts with the July 4th parade.

Chairman Chase made the following referral(s):

1. Chairman Chase requested that once the Board liaison assignments were made they be posted on line.
2. Chairman Chase read a response letter he received from Governor Patrick on March 28, 2007, regarding Chapter 70 funding. Chairman Chase recognized the

efforts by the School Committee, and especially, Chairman Kathy Duffett regarding recent lobbying efforts to increase Chapter 70 Aid for Chelmsford.

Press Questions:
None

Motion: Selectman Eliopoulos made a motion to adjourn into Executive Session for the purpose of discussing pending litigation and potential sale of real property at **8:45pm**. Selectman Dalton seconded the motion. Motion unanimously carried.

Selectman Wojtas	Aye
Selectman Jeannotte	Aye
Selectman Eliopoulos	Aye
Selectman Dalton	Aye
Chairman Chase	Aye

Respectfully submitted,

Patrice Garvin

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA
April 23, 2007

7:00 p.m. **Call to Order**

Public Service Announcements

Open Session

Approval of Minutes

- Re-Organization Meeting – April 5, 2007
- Regular Meeting Minutes – April 9, 2007
- Executive Session Meeting Minutes – April 9, 2007

Town Manager Appointments

- Arts and Technology Education Fund Committee
- Merrimack Valley Housing Regional Consortium

Town Manager Bid Awards/Contracts

- DPW Equipment Bid Awards
- Annual Environmental Monitoring – Swain Road Landfill

Scheduled Business

7:00 p.m. **LRTA Update**

7:30 p.m. **Common Victualer License -** The Traveling Gourmet, 61 Central Square

7:35 p.m. **One Day All-Alcohol License** – St. Vartananz Church, 180 Old Westford Rd.

7:40 p.m. **One Day All-Alcohol License** – St. John the Evangelist, 115 Middlesex St.

7:45 p.m. **Report – Community Development Director – Andrew Sheehan**

- Central Square Utility Conversion Project
    - **BOS Vote**: Request to Sign Easement on Town Property

***** This meeting is televised. *****

- **BOS Vote**: Request to Initiate Eminent Domain

- Municipal Coalition for Affordable Housing
- **BOS Vote**: Oakford Project – Regulatory Agreement
- Bruce Freeman Rail Trail

Unscheduled Business

- **BOS Vote:** BOS Policy on Abutter Notification for Sale of Town Owned Property
- Spring Town Meeting Warrant

Town Manager Reports

Selectmen Referrals

Executive Session

Next Meeting: May 7, 2007

TOWN OF CHELMSFORD
BOARD OF SELECTMEN MINUTES
Monday, April 23, 2007
50 Billerica Road, Town Offices

Attending:
Samuel Chase, Selectman Chairman
Philip M. Eliopoulos, Selectman Vice Chair
Clare Jeannotte, Selectman Clerk
Patricia Wojtas, Selectman
William F. Dalton, Selectman
Paul Cohen, Town Manager

7:00pm
Chairman Chase called the meeting to order. Chairman Chase made a statement concerning the change in venue for the Spring Town Meeting. Chairman Chase noted that the change would give the Town Meeting Representatives a chance to see the new Performing Arts Center. Chairman Chase wanted to assure people that the change in venue was not permanent and that the Senior Center had been reserved for the second night of Town Meeting.

Open Session:
1. Pat Magnel, Precinct 3 Town Meeting Representative, thanked the Chairman for his comments regarding the location of Town Meeting.

Approval of Minutes:

Motion: Selectman Eliopoulos made a motion to approve the April 5, 2007, regular meeting minutes. Selectmen Jeannotte seconded the motion. Motion carried.

Motion: Selectman Eliopoulos made a motion to approve the April 9, 2007 regular meeting minutes. Selectman Jeannotte seconded the motion. Amended: Amended page 2 should indicate that Clare Jeannotte did not vote to adjourn the joint meeting with the school committee and list that she rejoined the meeting. Amended: Page 2 under approval of minutes Selectmen Wojtas and Jeannotte abstained from approval of the March 26th minutes. Motion carried

Motion: Selectman Eliopoulos made a motion to approve the April 9, 2007, Executive Session Minutes. Selectman Jeannotte seconded the motion. Motion carried.

LRTA Update:
Jim Good, the Board's liaison to the LRTA, introduced Jim Scanlon, Director of the LRTA. Mr. Scanlon recognized the good working relationship with the Town. Mr. Scanlon briefly outlined the bus route system and noted the additional runs in Town. Mr. Scanlon discussed the LRTA's outreach programs to residents in Town. Selectman Jeannotte asked if increase trips are a reflection of increased ridership. Selectman Eliopoulos asked if there was anything the Town could do to promote the new routes.

Mr. Scanlon noted that the LRTA will continue to work with the Town Manager. Mr. Cohen briefly discussed the pay structure between the state and the LRTA.

Town Manager Appointments:

1. Arts and Technology Education Fund Committee- Mr. Cohen requested that the Board approve Colleen Stansfield and Tony Volpe to the Arts and Technology Education Fund Committee.

Motion: Selectman Eliopoulos made a motion to approve the Town Manager appointments of Colleen Stansfield and Tony Volpe to the Arts and Technology Education Fund Committee with a term expiring June 30, 2010. Selectman Jeannotte seconded the motion. Motion carried.

2. Merrimack Valley Housing Regional Consortium- Mr. Cohen explained that Mr. Hedison, due to difficulty making meetings, has stepped down from the consortium and requested that Pat Wojtas take his place.

Motion: Selectman Eliopoulos made a motion to approve Pat Wojtas to the Merrimack Valley Housing Regional Consortium. Selectman Jeannotte seconded the motion. Motion carried.

Common Victualer License- The Traveling Gourmet, 61 Central Square:

Keith Armstrong requested a Common Victualer License.

Motion: Selectman Eliopoulos made a motion to approve the Common Victualer License to Keith Armstrong of the Traveling Gourmet, 61 Central Square, with no alcohol consumption; hours of operation Sat-Sun 6am-8pm. Selectman Jeannotte seconded the motion. Motion carried.

One-Day All-Alcohol License- St. Vartananz Church, 180 Old Westford Rd.:

Rosette Jacobson, Chairperson requested a One Day all alcohol license for May 4th and May 12th.

Motion: Selectman Eliopoulos made a motion to approve an All Alcohol license to St. Vartananz Church, 180 Westford Rd., on May 4, 2007 and May 12, 2007 from 6pm-midnight. Selectman Jeannotte seconded the motion. Motion carried.

One-Day All-Alcohol License- St. John the Evangelist Church, 115 Middlesex St.:

Motion: Selectman Eliopoulos made a motion to approve an All Alcohol license to St. Johns the Evangelist on May 4, 2007 from 6pm- 11:30pm and May 11, 2007 from 5pm-midnight. Selectman Jeannotte seconded the motion. Motion carried.

Selectman Dalton requested that there be someone from the church present at future meetings.

Town Manager Bid Awards/Contracts:

1. Mr. Cohen requested that the Board approve the bids for the DPW equipment surplus.

Motion: Selectman Eliopoulos made a motion to approve approved the following bids for the DPW equipment:

$300- Glen Kohl, $500- Glen Kohl, $951.26-Shane Gendron, $26.26 John Ferreira, $126.26 John Fereira, $1,087-John Guilmette, $202.10-Bryan Edwards and $1,101 to D&M Catch Basin. Selectman Jeannotte seconded the motion. Motion carried.

2. Mr. Cohen requested that the Board approve the annual environmental monitoring bid, approved by Mr. Sheehan and Mr. Pearson.

Motion: Selectman Eliopoulos made a motion to approve the Annual Environmental Monitoring bid for the Swain Rd Landfill to Weston Sampson for $10,600 for July 2007- July 2008. Selectman Jeannotte seconded the motion. Motion carried.

Report- Community Development Director, Andy Sheehan

1. Central Square Utility Conversion Project- Mr. Sheehan stated that some easements have not been granted but he wanted more time to work with residents. Mr. Sheehan expressed concern with properties such as Stop and Shop and the Mobile Service Station, where easements are harder to acquire. Mr. Sheehan requested easements for 16-20 Boston Rd. and 30 Central Square, and that the Board hold off on other properties until Mr. Sheehan speaks with property owners.

Motion: Selectman Eliopoulos made a motion to approve the request for a signed easement for 16-20 Boston Rd. and 30 Central Square in accordance with Town Meeting October 24, 2006 Utility Conversion Project. Selectman Jeannotte seconded the motion. Motion carried.

2. Mr. Sheehan requested an easement for National Grid for Old Town Hall, Center Fire Station and the Adams Library.

Motion: Selectman Eliopoulos made a motion to approve the request for a signed easement to National Grid for the Central Square Utility Project for the following: 1A North Road Old Town Hall; 7 North Road, Fire Station; 25 Boston Rd., Adams Library. Selectman Jeannotte seconded the motion. Motion carried.

3. Municipal Coalition for Affordable Housing (MCAF)- Mr. Sheehan updated the Board on the members and make-up of MCAF. Selectman Eliopoulos suggested inviting members of MCAF to the panel public meetings on 40B's. Selectman Dalton asked what came from the MCAF meetings. Mr. Sheehan replied that the group examines and studies 40B bills submitted to the house.

4. Oakford Park- Regulatory Agreement- Mr. Sheehan requested that the Board vote to approve the regulatory agreement for 8 Main Street.

Motion: Selectman Eliopoulos made a motion to approve the regulatory agreement Oakford Comprehensive Permit Project, 8 Main Street. Selectman Jeannotte seconded the motion. Motion carried

5. Bruce Freeman Bike Trail- Mr. Sheehan updated the Board that the bids would be due at the end of June 2007.

Board Policy on Abutter Notification for Sale of Town Owned Property:
Selectman Jeannotte stated that she drafted a policy to address notifying abutters if property discussion occurs. Selectman Jeannotte read the policy and asked for a vote from the Board.

Motion: Selectman Eliopoulos made a motion to approve the Board Policy notifying abutters of the sale of Town owned real property. Selectman Jeannotte seconded the motion. Motion carried.

Town Meeting Warrant:
Mr. Cohen outlined Articles 1 through Article 12. Mr. Cohen listed the budget adjustments, and stated there were no changes in the operating budget since the January 2007 joint meeting. Mr. Cohen referred to Article 9 and the need for a study for the DPW/Fire Task Facility Committee.

Motion: Selectman Eliopoulos made a motion to recommended approval for Articles 6, 8, 9, 10, 11, and 12 of the Town Meeting Warrant and held off on Article 7. Selectman Jeannotte seconded the motion. Motion carried.

Mr. Cohen outlined Article 13 through Article 17. Selectman Jeannotte was concerned with Article 17 and asked why there was a need for the article. Mr. Cohen stated that the article was a way to enforce any issues or problems that arise with people going through recycle bins.

Motion: Selectman Eliopoulos made a motion to recommended approval for Articles 15 and 16 of the Town Meeting Warrant. Selectman Jeannotte seconded the motion. Motion carried.

Motion: Selectman Eliopoulos made a motion to recommended approval for Article 17 of the Town Meeting Warrant. Selectman Jeannotte seconded the motion. Motion carried (Selectman Jeannotte abstaining).

Mr. Cohen outlined Article 18 through Article 23. Mr. Cohen explained to the Board why Article 20, concerning the property on Academy Street, is being resubmitted to Town Meeting. Mr. Cohen also discussed the issues surrounding the proposed alumni building in Article 22. Selectman Eliopoulos stated that having the conveyance of land approved will help the alumni association go out and fundraise.

Motion: Selectman Eliopoulos made a motion to recommend approval of Articles 18, 19, and 20 and recommend approval of Articles 21, 22, and 23 of the Town Meeting Warrant. Selectman Jeannotte seconded the motion. Motion carried.

Mr. Cohen explained that Article 24, Article 25 and Article 26 had been withdrawn from the Town Meeting Warrant. The Articles referred to the properties at Bentley and Stillwater. Mr. Cohen noted that these Articles were pulled due to the need to discuss with residents.

Mr. Cohen outlined Article 27 through Article 31.

Motion: Selectman Eliopoulos made a motion to recommended approval of Articles 27, 28 and 29 and held off Articles 30 and 31.of the Town Meeting Warrant. Selectman Jeannotte seconded the motion. Motion carried.

Town Manager Reports:

1. Mr. Cohen reported that Collective Bargaining with the Superior Officers resulted in an agreement. Mr. Cohen reported that the higher insurance co-payment was agreed to.

Motion: Selectman Eliopoulos made a motion to approve the memorandum of agreement put forth by the Town Manager on April 13, 2007, between the Town and Superior Officers Union. Selectman Jeannotte seconded the motion. Motion carried.

2. Mr. Cohen reported that the bids for Town owned land passed at the fall Town Meeting were too low to accept. Mr. Cohen requested that the Board reject all of the bids the Town received.

Motion: Selectman Eliopoulos made a motion to reject all bids for the sale of town own land approved at the spring 2006 Town Meeting. Selectman Jeannotte seconded the motion. Motion carried.

3. Mr. Cohen thanked the volunteers and Town personnel that assisted in the recent Merrimack River flooding for their efforts. Mr. Cohen reported that preliminary costs from the flood would be $16,000.

4. Mr. Cohen gave a brief revenue summary to the Board and distributed preliminary budget materials.

Selectmen Referrals:

Selectman Dalton made the following referral(s):

1. Selectman Dalton asked about the erosion of Smith Street. Mr. Cohen noted that the Town was aware of the problem and would follow up.
2. Selectman Dalton commented on the drainage on Mill Road.
3. Selectman Dalton noted that the DPW/Fire Facility Committee was meeting regularly and that the committee was working well.
4. Selectman Dalton suggested one of the Board becomes a member of the MCAH Committee described by Andy Sheehan.

Selectman Eliopoulos made the following referral(s):

1. Selectman Eliopoulos encouraged residents to view Town Meeting on April 30th. Chairman Chase noted that it would be a good opportunity to see the new auditorium.
2. Selectman Eliopoulos reported that he attended a meeting with Mass Highway to discuss Chelmsford sound barriers. Selectman Eliopoulos stated that a new study would be conducted and completed by the end of July; consultants are being interviewed. Selectman Eliopoulos emphasized that the three consultants being looked at have had no existing contracts with Mass Highway.

3. Selectman Eliopoulos inquired about 17 Babson Street and possible drainage issues.

Selectman Jeannotte made the following referral(s):

1. Selectman Jeannotte reported that on April 28th the Town would be holding a Hazardous Household Drop-off.
2. Selectman Jeannotte reported that on April 25th the Initiative for Local Aid was holding a lobby day at the state house.

Selectman Wojtas made the following referral(s):

1. Selectman Wojtas stated that the old picture and names of prior Selectmen were on the Town web page.
2. Selectman Wojtas asked about the charter changes that were approved at the last election and their status. Mr. Cohen stated that the changes have been filed but the Town has not been notified of approval.
3. Selectman Wojtas suggested having each state representative take an issue outlined by the Board at previous meetings. Selectman Wojtas suggested more accountability would be gained if each representative had an issue. Selectman Eliopoulos suggested the representatives be notified before being assigned an issue. Selectman Wojtas noted that she would draft a letter and submit it to the Board.

Chairman Chase made the following referral(s):

1. Chairman Chase reminded the residents of the ribbon cutting ceremony for the auditorium on April 29th.
2. Chairman Chase noted the School Committee meeting on April 23rd to discuss the budget.
3. Chairman Chase read a statement advising the community that Chelmsford Telemedia would air a show highlighting the School Building Project.

Press Questions:

None

Motion: Selectman Eliopoulos made a motion to adjourn into Executive Session for the purpose of discussing real property at **9:50pm**. Selectman Dalton seconded the motion. Motion unanimously carried.

Selectman Wojtas	Aye
Selectman Jeannotte	Aye
Selectman Eliopoulos	Aye
Selectman Dalton	Aye
Chairman Chase	Aye

Respectfully submitted,

Patrice Garvin

TOWN OF CHELMSFORD
BOARD OF SELECTMEN MINUTES
Monday, April 30, 2007
Chelmsford Performing Arts Center

Attending:
Samuel Chase, Selectman Chairman
Philip M. Eliopoulos, Selectman Vice Chair
Clare Jeannotte, Selectman Clerk
Patricia Wojtas, Selectman
William F. Dalton, Selectman
Paul Cohen, Town Manager

6:40pm
Chairman Chase called the meeting to order.

Town Manager Reports:

1. Mr. Cohen reported that Circles Service Delivery, a concierge services company, is considering locating to Chelmsford. Mr. Cohen reported that Mr. Sheehan had met with representatives from Circles. Mr. Cohen stated that it would bring 330 jobs to the area. Circles is looking for a facility of about 45,000 square feet. Ms. Jeannotte asked what the vacancy rate is in Town. Mr. Cohen replied that it is in the range of 17%. Chairman Case stated that he would draw up a letter to be sent to Circles. Mr. Cohen noted that a decision would be made soon. Mr. Cohen asked for a vote stating that a letter could be drawn up indicating interest for Circles to move to Chelmsford.

Motion: Selectman Eliopoulos made a motion to endorse a letter that indicated interest for Circles Service Expansion Project to locate to Chelmsford. Selectman Jeannotte seconded the motion. Motion carried.

2. *Article 22-* John Giorgio, Town Counsel, reviewed the concerns raised by the School Committee regarding land to be used for an Alumni Building. Mr. Giorgio did not indicate any concerns on the additions to the article made by the School Committee.

3. *Collective Bargaining Agreement-* Mr. Cohen stated that the Patrol Officers contract was ratified. Mr. Cohen noted the charter change listing the Maintenance department under the municipal side of Town.

Motion: Selectman Eliopoulos made a motion to approve the collective bargaining contracts for the Clerical and Dispatchers, Municipal Facilities, Highway/Cemetery and the Patrol Officers as depicted by the Town Manager. Selectman Eliopoulos seconded the motion. Motion carried.

4. *Article 2, Budget Amendments-* Mr. Cohen updated the Board on budget amendments for Article 2. Mr. Cohen noted that there was no money being placed in the reserve fund.

Motion: Selectman Eliopoulos made a motion to support Article 2 on the Town Meeting Warrant. Selectman Jeannotte seconded the motion. Motion carried.

5. *Recreation Department Update*- Mr. Cohen updated the Board on a letter sent from the Recreation Director. Mr. Cohen stated that the Board should not reply to the letter.

   Motion: Selectman Eliopoulos made a motion to adjourn at **7:15pm**. Selectman Dalton seconded the motion. Motion unanimously carried.

Respectfully submitted,

Patrice Garvin

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA
May 7, 2007

7:00 p.m. **Call to Order**

Public Service Announcements

- Memorial Day

Open Session

Town Manager Appointments

- Inspector of Animals

Town Manager Bid Awards/Contracts

- DPW – Trailer Mounted Patching Machine

Scheduled Business

7:30 p.m. **Center Water District Annual Report** – John Harrington

Unscheduled Business

- **BOS Vote to Revoke:** Above Ground Storage License – 540 Groton Road

Town Manager Reports

Selectmen Initiatives

- 40B Outreach Meeting/Forum
- Town Manager Interim Review/Process
- Town/Town Manager FY08 Goals/Objectives
- Personnel Board

Selectmen Referrals

Executive Session

Next Meeting: May 21, 2007, Chelmsford Country Club

***** This meeting is televised. *****

TOWN OF CHELMSFORD
BOARD OF SELECTMEN MINUTES
Monday, May 7, 2007
50 Billerica Road, Town Offices

Attending:
Samuel Chase, Selectman Chairman
Philip M. Eliopoulos, Selectman Vice Chair
Clare Jeannotte, Selectman Clerk
Patricia Wojtas, Selectman
William F. Dalton, Selectman
Paul Cohen, Town Manager

7:00pm
Chairman Chase called the meeting to order.

PSA:
Regina Jackson, Veterans Agent for the town of Chelmsford- American Legion Post 313, stated that there would be a Memorial Day Parade on Monday, May 28, 2007 at 10:00am in Vinal Square. Selectman Eliopoulos read the Proclamation recognizing May 28, 2007 as Memorial Day in the town of Chelmsford.

Open Session:
No one spoke.

Town Manager Appointments:
Mr. Cohen requested that Martin Gruber be reappointed to the position of Inspector of Animals for the town of Chelmsford.

Motion: Selectman Eliopoulos made a motion to approve the Town Manager's reappointment of Martin Gruber as Inspector of Animals; term expiring April 30, 2008. Selectman Jeannotte seconded the motion. Motion carried.

Town Manager Bid Awards/Contracts:
Mr. Cohen requested that the board approve the Town Manager's recommendation to award a contract for the DPW-Trailer Mounted Patching Machine to Crafco, Inc. in the amount of $86,894.

Motion: Selectman Eliopoulos made a motion to approve the contract award for the Trailer Mounted Patching Machine to Crafco, Inc. of Chandler, Arizona for the amount of $86,894. Selectman Jeannotte seconded the motion. Motion carried.

BOS Vote to Revoke- Above Ground Storage License-540 Groton Rd.:

Motion: Selectman Eliopoulos made a motion to approve revoking the license for Above Ground Storage currently held by Fletcher Granite Company, Inc. on 540 Groton Rd. Selectman Jeannotte seconded the motion. Motion carried.

Town Manager Reports:

1. Mr. Cohen reported that the cell towers for Route 495 rest areas are out to bid. Mr. Cohen did not see a future problem in putting the towers in the rest area closest to residents. Selectman Dalton asked what the height of the tower would be. Mr. Cohen replied that it would be 100-110 feet in height.
2. Mr. Cohen reported that the Solid Waste Recycling Task Force would be holding a public forum on May 16, 2007.
3. Mr. Cohen gave the Board an update on the Glenview Ave. landfill. The DEP visited the site and stated that it would take $1.2 million to complete the capping. Mr. Cohen noted that the situation would be continuously monitored.

Center Water District Report:

John Harrington introduced the Center District Water Board members who were present (Bob Delaney, Roger Mann and Ronald Wetmore) and Mr. George Allen who gave the presentation to the Board.

Mr. Allen distributed pamphlets that will be sent to residents on water conservation for the summer. Mr. Allen noted that new Town residents receive a welcome packet from the Center Water District. Mr. Allen gave a brief history of the Center Water District showing how the usage and budget have increased. Mr. Allen presented a map of the Town's three water districts noting the water supply vs. demand in Town. Mr. Allen gave the Board an update on recent activities, such as the Crooked Spring Water Treatment Plant. Mr. Allen showed the Board pictures of the new treatment plant along with specifications on the new facility.

Questions from the Board

1. Selectman Dalton asked the size of the new treatment plant. Mr. Allen noted that the Crooked Spring Water Treatment Plant was larger that others in Town.
2. Chairman Chase requested that Mr. Allen briefly describe the water ban and how it was enforced. Mr. Allen stated that calls do come in from residents on those violating the ban.
3. Chairman Chase requested information on the number of residents using well water and asked about combining resources with the other two water districts in Town. Mr. Delaney stated that the three districts meet on a quarterly basis, but there has been no discussion of merging the districts. Chairman Chase thanked Mr. Allen for his presentation.

Town Manager Reports *Cont.*

1. Mr. Cohen reported that the Drum Hill Rd. property had been marked with an X, and that the situation will need more follow-up.

BOS Initiatives:

1. *40B Outreach Meeting/Forum*: Selectman Eliopoulos stated that he envisioned that this would be an educational forum with community input. Selectman Eliopoulos suggested people who could participate in the forum. Ms. Wojtas suggested having a representative from MCAH on the panel. The Board

discussed possible dates for the forum. Mr. Cohen noted that he would look into the second week of June as a possible date. Chairman Chase suggested Selectman Eliopoulos be the point person on the 40B Forum and that he and Selectman Jeannotte work together to set up the event.

2. *Town Manager Interim Review/Process and FY08 Goals/Objectives:* Chairman Chase outlined an interim review process for the new Town Manager to be scheduled sometime in June and suggested it should be done at the annual Board goal setting meeting.
3. *Personnel Board*: Chairman Chase asked how the process of appointing the Personnel Board would be carried out. Mr. Cohen asked residents to submit a letter of interest to the Town Manager's office. The recent election changed the way in which the Personnel Board was appointed; instead of the Town Manager the Board now appoints the Personnel Board.

Selectman Referrals:

Selectman Wojtas made the following referral(s):

1. Selectman Wojtas reported that she is working on the priorities for the state representatives.
2. Selectman Wojtas stated that she has received e-mails from concerned residents regarding the Power Plant in Billerica. Mr. Cohen stated that a hearing was held in Billerica and suggested people contact the state for more information.
3. Selectman Wojtas requested that the minutes on the web page be up to date.

Selectman Jeannotte made the following referral(s):

1. Selectman Jeannotte asked if all positions on the Capital Planning Committee are currently filled. Mr. Cohen replied that the committee is complete but has not met in some time. Ms. Jeannotte requested an update on that committee.
2. Selectman Jeannotte requested that the Board discuss the issue of stipends for elected officials. Selectman Eliopoulos suggested the Board discuss the issue at the next meeting. Mr. Cohen was asked to get the previous report on stipends that was done in the early 1990's.

Selectman Eliopoulos made the following referral(s):

1. Selectman Eliopoulos reported that there have been frequent power outages in South Chelmsford. Mr. Cohen stated that he would contact National Grid.
2. Selectman Eliopoulos suggested the Community Newsletter be posted on the Town's web page.
3. Selectman Eliopoulos congratulated Mr. Cohen on his first Town Meeting.

Selectman Dalton made the following referral(s):

1. Selectman Dalton updated the Board on various committees and events.
2. Selectman Dalton noted that the DPW/Fire committee was narrowing down sites for a potential facility site.
3. Selectman Dalton reported a problem with the bulk mailing that was sent for the July 4th parade.

Chairman Chase made no referrals.

Press Questions:
Kevin Zimmerman of the Chelmsford Independent asked about the Personnel Board and if those currently serving on it were being terminated. Mr. Cohen explained the recent charter change and the inactivity of the current Personnel Board.

Motion: Selectman Eliopoulos made a motion to adjourn at **8:25pm**. Selectman Dalton seconded the motion. Motion unanimously carried.

Respectfully submitted,

Patrice Garvin

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA
May 21, 2007

Location: Chelmsford Country Club

7:00 p.m. **Call to Order**

Public Service Announcements

Open Session

Approval of Minutes

- Regular Meeting Minutes – April 23, 2007
- Executive Session Minutes – April 23, 2007
- Regular Meeting Minutes – April 30, 2007

BOS Appointments

- NMCOG Representative

Town Manager Bid Awards/Contracts

- Fire-DPW Facility Committee's Fire Services Study
- GIS Web Hosting Vendor
- MUNIS

Scheduled Business

7:15 p.m. **Reports – Kerry Speidel, Finance Director**

- Status of Finances – Chelmsford Country Club
- Status Report – Capital Projects
- BOS Vote – Bond Sale

7:30 p.m. **Reports – Betty Delaney, Town Clerk**

- Special Election
- Fall 2007 Town Meeting

7:45 p.m. **Review Class II Auto Dealer's License Conditions** - M&M Towing, 85 Tyngsboro Rd.

Unscheduled Business

- **BOS Vote:** Resolution for Deferred Compensation Plan

Town Manager Reports

Selectmen Initiatives

- 40B Outreach Meeting/Forum
- Town Manager Interim Review/Process
- Town/Town Manager FY08 Goals/Objectives
- Personnel Board
- ADHOC Stipend Committee
- Summer Schedule - BOS Meetings
- Russell Rd. Land Sale

Selectmen Referrals

Executive Session

Next Meeting: June 4, 2007

TOWN OF CHELMSFORD
BOARD OF SELECTMEN MINUTES
Monday, May 21, 2007
Chelmsford Country Club, Parker Road

Attending:
Samuel Chase, Selectman Chairman
Philip M. Eliopoulos, Selectman Vice Chair
Clare Jeannotte, Selectman Clerk
Patricia Wojtas, Selectman
William F. Dalton, Selectman was absent
Paul Cohen, Town Manager

7:06pm
Chairman Chase called the meeting to order. Chairman Chase gave a brief update on the conditions of the Chelmsford Country Club golf course.

Open Session:

Fred Marcks, a long time resident of Chelmsford, stated that he now represents the local advocacy group, Preserve Chelmsford's Future. Mr. Marcks will be heading up the efforts of the organization and noted that he has spoken to some Board members regarding their efforts.

Selectman Initiatives-Russell Rd. Land Sale:
Mr. Cohen gave an update on the progress of the land sale. Mr. Cohen reported that Charles and Gloria Clancy could pay a maximum of $2,000 for parcel B, but because the Town is obligated to receive reasonable value for any real property it sells, the parcel would be sold to Paul Flannery at fair market value. Mr. Cohen indicated that Mr. Flannery will grant the Clancys permanent easement rights to Parcel B. Mr. Cohen stated that Paul and Teresa Flannery would pay the recording fees and receive the deed to the property, and that the Town will remit 3 years back property taxes to the Clancys.

Gloria Clancy, resident-12 Russell Rd. noted the vote at a previous Town Meeting where Town Meeting Representatives voted to allow the Clancys the opportunity to purchase Parcel B. Ms. Clancy added that that they could not enter a bidding war with Mr. Flannery. Ms. Clancy thanked the Board for their efforts and was pleased with the final outcome.

Motion: Selectman Eliopoulos made a motion to approve the sale of the property on Russell Road (Lot B), to Paul and Teresa Flannery with an easement granted to Charles and Gloria Clancy:

a. No additional costs to the Clancy's
b. Recording fees to be paid by the Flannery's and recorded by Town counsel
c. Three years of taxes will be reimbursed to the Clancy's.

Selectman Jeannotte seconded the motion. Motion carried.

Reports-Kerry Speidel Finance Director:

1. *BOS Vote- Bond Sale:* Ms. Speidel requested that the Board vote to authorize the sale of Bonds to finance the following capital purchases with maximum useful life as noted: Police Cruiser-$170,928 for 5 years, Replace Engine 5-$303,713 for 20 years, 6 Wheel Dump Truck- $110,000 for 15 years, ½ Ton Pick Up Truck-$26,500 for 10 years, Elementary School Chalkboards $50,000 for 20 years, Classroom Furniture (South Row, Byam and Westlands)-$132,000 for 20 years.

Motion: Selectman Eliopoulos made a motion approve the bond sale, as noted: Police Cruiser-$170,928 for 5 years, Replace Engine 5-$303,713 for 20 years, 6 Wheel Dump Truck- $110,000 for 15 years, ½ Ton Pick Up Truck-$26,500 for 10 years, Elementary School Chalkboards $50,000 for 20 years, Classroom Furniture (South Row, Byam and Westlands)-$132,000 for 20 years. Selectman Jeannotte seconded the motion. Motion carried.

2. *Country Club Report:* Ms. Speidel reported that all payments have been made to the Town by the Country Club and all relevant information on budgets has been received. Chairman Chase noted that the issues with the Country Club came up while Ms. Speidel was the Acting Town Manager, therefore it is logical that Ms. Speidel should continue to be the point person.

3. *Status Report-Capital Projects:* Ms. Speidel referred to the spreadsheet with all of the Capital Projects listed. Ms. Speidel noted that there is one Capital Project, from 1996 on sidewalks, which needed to be closed out. Ms. Speidel stated that there were only a few Capital Projects that were outstanding. Ms. Jeannotte asked if the sidewalk construction was lagging because of staffing issues. Mr. Cohen reported that the project was behind due to other projects the DPW is working on. Ms. Jeannotte requested a report on sidewalk construction in Town.

Reports- Betty Delaney, Town Clerk:

1. *Special Election:* Ms. Delaney reported that the Primary for the Special Election will be held on September 4, 2007, and the general election will be held on October 16, 2007.
2. *Fall 2007 Town Meeting:* Ms. Delaney explained to the Board the scheduling problems with the Fall Town Meeting and the Special Election scheduled for October 16th. Ms. Delaney requested that Town Meeting be convened at the Town Hall and then adjourned as soon as it starts on October 15th with a motion to reconvene at the Senior Center on Thursday October 18th.

Motion: Selectman Eliopoulos made a motion to approve the change in Town Meeting to accommodate the Special Town Election: The Board will convene with the Town Moderator on October 15, 2007 (room 204) recognizing no quorum Town Meeting would be immediately adjourned to Thursday, October 18, 2007, at 7:00pm Senior Center. Selectman Jeannotte seconded the motion. Motion carried.

Approval of Minutes:

Motion: Selectman Eliopoulos made a motion to approve the Regular and Executive Session Minutes for April 23, 2007. Amended- Page 3 change the

word "sign" to "signed". Page 2 under The Traveling Gourmet, time of operation should change to "time should reflect application". Page 3 "MCAF" to "MCAH". Selectman Jeannotte seconded the motion. Motion carried.

Motion: Selectman Eliopoulos made a motion to approve the regular session minutes for April 30, 2007. Selectman Jeannotte seconded the motion. Motion carried.

NMCOG Representative:

Motion: Selectman Eliopoulos made a motion for the Board to formally appoint Pat Wojtas as the Board's NMCOG representative. Selectman Jeannotte seconded the motion. Motion carried.

Town Manager Bid Awards/Contracts:

1. *Fire-DPW Facility Committee's Fire Service Study:* Mr. Cohen reported that the committee met and reviewed three consultant proposals to determine where the best location would be for a DPW/Fire Facility. Mr. Cohen requested the Board approve MMA as consultant, out of Boston, for the amount of $9,610.

Motion: Selectman Eliopoulos made a motion to award the Fire/DPW Facility Committee's Fire Services Study contract to MMA, out of Boston, for the amount of $9,610. Selectman Jeannotte seconded the motion. Motion carried.

2. *GIS Web Hosting Vendor:* Mr. Cohen requested that the Board approve the GIS Web Hosting Vendor bid award to Applied Geographics for $21, 600.

Motion: Selectman Eliopoulos made a motion to approve the bid award for GIS web hosting server to Applied Geographics for the amount of $21,600. Selectman Jeannotte seconded the motion. Motion carried.

3. *MUNIS:* Mr. Cohen gave a brief description of what the MUNIS system is and how it works in Town.

Motion: Selectman Eliopoulos made a motion to amend the Application Service Provider Agreement with Tyler Technologies, Inc. offices at 370 U.S. Route 1, Falmouth Maine, for a three year contract with the total of $326,280; starting July 1, 2007 and ending June 30, 2010. Selectman Jeannotte seconded the motion. Motion carried.

Review Class II Auto Dealer's License Conditions- M&M Towing, 85 Tyngsboro Rd.:

Mr. Cohen gave a brief history on the issue and requested that the license be extended until December 31, 2007, provided that they follow the conditions imposed by all land use Boards and the Building Inspector.

Motion: Selectman Eliopoulos made a motion to approve the extension of the Class II Auto Dealer's License to M&M Towing; April 23, 2007 – December 31, 2007 subject to M&M Towing's continued satisfactory compliance with all conditions imposed by the Town's land use Boards and the Building Inspector. Selectman Jeannotte seconded the motion. Motion carried.

BOS Vote: Resolution for Deferred Compensation Plan:

Motion: Selectman Eliopoulos made a motion to approve the resolution on the Deferred Compensation Plan for the Payroll Coordinator (official title, not name). Selectman Jeannotte seconded the motion. Motion carried.

Town Manager Reports:

1. Mr. Cohen reported that the Town of Chelmsford, the Housing Authority and the residents of Steadman LLC came to an agreement in the amount of $47,396 for the audit.
2. Mr. Cohen reported that an engineer looked at the Center Fire Station and deemed it safe. The site will continue to be monitored.
3. Mr. Cohen reported that he needed a brief meeting with the Board to vote on the Bond Sale for the School Building Projects.
4. Mr. Cohen reported that benches in Vinal Square were installed in time for the Memorial Day events.
5. Mr. Cohen gave an update on Section 18.
6. Mr. Cohen reported that the municipal representative for the Personnel Board will be voted on June 22, from 10:00am-3:00pm.
7. Mr. Cohen reported that all municipal employees would be reviewed and the process should end by June 15th.
8. Mr. Cohen gave a brief update of the Town's financials highlighting the decrease in excise tax.
9. Mr. Cohen reported that the Veterans Emergency Fund is out of business. Selectman Wojtas suggested that Mr. Alfred Coburn be honored for his service to the Town.

Selectman Initiatives:

1. *40B Outreach Meeting/Forum:* Selectman Eliopoulos suggested having the forum in September vs. June; this will give the Board adequate time to prepare and schedule speakers.
2. *ADHOC Stipend Committee:* Selectman Jeannotte commented that she received the 1989 Stipend report and suggested a committee rather than a selectman subcommittee. Selectman Eliopoulos suggested having Selectman Jeannotte serve on the Committee as a Board representative. Selectman Wojtas disagreed and recommended an all citizen committee. Selectman Wojtas added that each Board member could select two members of the Stipend Committee and Chairman Chase would select the final member and chairman of the Stipend Committee. Mr. Cohen suggested the Board vote on the Stipend Committee at the June 4th regular meeting.
3. *Personnel Board:* Mr. Cohen stated that there have been no applications sent in regards to the Personnel Board.
4. *Town Manager Review Process and FY08 Goals/Objectives:* Chairman Chase stated that the Board needed to be more involved in the process of creating Goals and Objectives. Chairman Chase noted that he would work with the Town Manager and asked for input from other Board members.

5. *BOS Summer Schedule:* Mr. Cohen listed that dates the Board would be meeting over the next three months.

Selectman Referrals:

Selectman Eliopoulos made the following referral(s):

1. Selectman Eliopoulos stated that the final punch list for Route 3 was submitted and sent to all parties involved.
2. Selectman Eliopoulos reported that he attended the most recent meeting of the Community Preservation Committee and requested a brief executive session to discuss real property.

Selectman Jeannotte made the following referral(s):

1. Selectman Jeannotte stated that she attended the Solid Waste and Recycling Committee's public hearing. Selectman Jeannotte stated that a question concerning the override was mentioned and that the Board needed a better handle on it.
2. Selectman Jeannotte stated that the ITEC committee was winding down and that she was looking forward to their final report.

Selectman Wojtas made the following referral(s):

1. Selectman Wojtas reported that she attended the NMCOG meeting and concerns were raised on the proposed affordable housing development on Route 110 in Westford. Selectman Wojtas requested that Mr. Sheehan follow-up on this issue. Selectman Wojtas also expressed interest in permit fund grant monies to communities and the Town should look into this.
2. Selectman Wojtas stated that one third of the Nashua Rail has been identified for funding.

Chairman Chase made no referral(s).

Press Questions:

Andy Metzger from the Chelmsford Independent asked for clarification on the rescheduling of fall Town Meeting. Mr. Cohen explained the process.

Rita Savard, of the Lowell Sun, asked the Board to confirm dates on the Board, the timeline for the Stipend Committee and to clarify the identity of the company that will be conducting the Fire Study.

Motion: Selectman Eliopoulos made a motion to adjourn into Executive Session for the purpose of discussing real property at **8:55pm**. Selectman Jeannotte seconded the motion. Motion unanimously carried.

Respectfully submitted,

Patrice Garvin

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA
June 4, 2007

7:00 p.m. **Call to Order**

Public Service Announcements

- 4th of July Parade Update – Jeff Hardy, Lynne Marcella
- Precinct 7 Community Meeting – Jim Lane *Tab 1*

Open Session

- School Building Committee Update – Tom Newcomb

Town Manager Bid Awards/Contracts

- DPW Bids *Tab 2*

Approval of Minutes

- BOS Regular Meeting Minutes – May 7, 2007 *Tab 3*
- BOS Regular Meeting Minutes – May 21, 2007

Scheduled Business

7:30 p.m. Annual Arts and Technology in Education Fund Awards *Tab 4*

7:50 p.m. National Grid – Outage Report, Jill Fitzpatrick *Tab 5*

8:00 p.m. **Public Hearing:** Verizon Pole Petition – School St. *Tab 6*

Unscheduled Business *Tab 7*

- **BOS Vote: Special Town Meeting Warrant** – June 21, 2007

Town Manager Reports

Selectmen Initiatives

- Town Manager Interim Review/Process
- Town/Town Manager FY08 Goals/Objectives
- Personnel Board *Tab 8*
- ADHOC Stipend Committee *Tab 9*

Selectmen Referrals

Executive Session

Next Meeting: June 25, 2007

TOWN OF CHELMSFORD
BOARD OF SELECTMEN MINUTES
Monday, June 4, 2007
50 Billerica Rd, Chelmsford

Attending:
Samuel Chase, Selectman Chairman
Philip M. Eliopoulos, Selectman Vice Chair
Clare Jeannotte, Selectman Clerk
Patricia Wojtas, Selectman
William F. Dalton, Selectman
Paul Cohen, Town Manager

7:02pm
Chairman Chase called the meeting to order.

Public Service Announcements:

1. *4th of July Parade Update, Jeff Hardy, Lynne Marcella-* Mr. Hardy presented the 4th of July banner displayed throughout the Town Center. Mr. Hardy thanked residents for their donations especially John Thibault. Mr. Hardy recognized the work of Brain Ready and Lynne Marcella, and also the financial donation of Harold Kecy. Selectman Dalton thanked the CBA for their efforts.

2. *Precinct 7 Community Meeting-Jim Lane-* Jim Lane resident-290 Old Westford Rd. informed the Board that there would be a public meeting for Precinct 7, on June 14th at Town Hall.

Annual Arts and Technology in Education Fund Awards (ATEF):
Evelyn Thoren stated that the ATEF has been awarding money since 1996, and thanked the Board for their support. Ms. Thoren explained what the money could be used for and listed the members of the ATEF committee.

ATEF Chairman Glenn Doherty thanked the Board of Selectmen and stated that the ATEF has raised nearly $75,000 since 1996. Mr. Doherty presented the awards to the following educators:

1. Sharon Giglio, McCarthy Middle School, $750, Lecture Hall Projector
2. Nancy Charron, Westlands School, $750, 6+1 Writing Traits Supplementary Books
3. Megan Errgong Weider, Center School, $750, Stereo Replacement for Music Room
4. Martha Coolidge, Harrington School, $750, *Now I See It!*

All recipients thanked the Board for their support. Mr. Doherty applauded Dr. Moser and all the teachers awarded grants.

School Building Committee Update, Tom Newcomb:

Mr. Newcomb stated that the School Building Project was winding down. Mr. Newcomb noted that there was a punch list of items that still needed to be completed. Mr. Newcomb reported that the roof at the Parker Middle School needed work, and that it was going out to bid. Mr. Newcomb explained that votes were needed by the Board signing off the new Auditorium to the School Committee; the School Building Committee would have charge of the punch list. Selectman Jeannotte asked about the reimbursement process and the likelihood of it coming through from the state. Mr. Newcomb replied that Chelmsford was eligible for reimbursement but state guidelines have changed recently.

Motion: Selectman Eliopoulos made a motion to accept from the School Building Committee the secondary school facilities constructed and renovated under the $31 million debt exemption, said facilities being turned over to the town by a vote of the School Building Committee on April 25, 2007; with the School Building Committee to oversee final project completion. Selectman Jeannotte seconded the motion. Motion carried.

Motion: Selectman Eliopoulos made a motion that the Board of Selectmen turn over to the School Committee the secondary school facilities constructed and renovated under the $31 million debt exemption said facilities being turned over to the town by this Board by vote on June 4, 2007; with the School Building Committee to oversee final project completion. Selectman Jeannotte seconded the motion. Motion carried.

Town Manager Bid Awards/Contracts:

The Board tabled the DPW bid awards until the next Board regular meeting.

Approval of Minutes:

Motion: Selectman Eliopoulos made a motion to approve the May 7, 2007 regular meeting minutes. Selectman Jeannotte seconded the motion. Motion carried.

Motion: Selectman Eliopoulos made a motion to approve the May 21, 2007 regular meeting minutes. Selectman Jeannotte seconded the motion. Motion carried.

BOS Vote- Special Town meeting Warrant, June 21, 2007:

Mr. Cohen stated that there would be two articles at the special town meeting.

1. Article 1 pertains to the Circles Company expanding to Chelmsford at 300 Apollo Drive. Mr. Cohen noted that Mr. Sheehan was the point person on this project and that Circles chose Chelmsford in part because of its uniform tax rate. Mr. Cohen stated that lobbying Circles to locate in Town was a team effort. Selectman Dalton asked what the cost would be to the Town. Mr. Cohen reported that the Town would not incur any additional costs. Mr. Cohen stated that Circles hoped to move in by the end of October.

2. Article 2 authorizes the Town of Chelmsford and the Water District to begin the sewer construction on Burning Tree Lane... Mr. Cohen noted that Town Counsel would be available at the special Town Meeting.

Motion: Selectman Eliopoulos made a motion to post the warrant for the special Town meeting on June 21, 2007 at the Senior Center, starting at 7:30pm. Selectman Jeannotte seconded the motion. Motion carried.

National Grid, Outage Report, Jill Fitzpatrick, Jenny Saenz, and Jim Patterson:
Ms. Fitzpatrick distributed an outage report to the Board. Selectman Eliopoulos questioned the length of time there were outages; listed in the handout. Ms. Saenz noted that there were no extra outages in South Chelmsford. Mr. Patterson stated that National Grid was working on the double pole issue in Town and emphasized that South Chelmsford was not being neglected.

Public Hearing, Verizon Pole Petition, School Street:
Jeff Gleason of Verizon located in Dracut requested a mid-span pole 107 feet from School Street; pole 40/7 and 40/6 to reinforce the location and accommodate a new service substation. Chairman Chase asked if there was anyone there to speak for or against the petition.

Motion: Selectman Eliopoulos made a motion to close the public hearing. Selectman Jeannotte seconded the motion. Motion carried.

Selectman Eliopoulos asked about the work on poles on North Road. Mr. Cohen noted that there has been no closure on this issue and that the poles in the street are a safety issue. Mr. Gleason requested that the Board table the petition until the next meeting and he would have the manager come in and address the North Road issue.

Motion: Selectman Eliopoulos made a motion to table the Verizon petition until June 25, 2007 regular Board meeting. Selectman Jeannotte seconded the motion. Motion carried.

Town Manager Reports:

1. Mr. Cohen reported that Parcel B on Russell Road has been recorded and registered. Selectman Jeannotte thanked Selectman Eliopoulos for his hard work.
2. Mr. Cohen reported that he received correspondence concerning the Cell tower being proposed on the Route 495 rest area. Mr. Cohen reminded the Board that the Town is requesting that the tower be placed on the northbound side. Mass Highway has stated that two towers would be put up if there is a need. Selectman Eliopoulos suggested looking into a by-law for the fall town meeting that would give the Town more control.
3. Mr. Cohen reported that, after presenting with Ms. Speidel to Standard & Poor, the Town received a downgrade on its bond rating. The Town went from an AA rating to an AA- rating. Mr. Cohen stated that the Town would work to get the rating restored. Selectman Eliopoulos stressed how important the stabilization fund is to the bond rating.

4. Mr. Cohen reported that three projects had been submitted and approved by the MCG.

Selectman Initiatives:

1. *Town Manager Review/Process and FY08 Goals/Objectives*- Chairman Chase stated that he requested that a meeting be set for some time in June to discuss goals and a Town Manager review. Mr. Cohen reported that employee reviews are taking place and should be complete with in the next few weeks.

Chairman Chase listed the major goals the Town is currently facing and asked the Board for comments and suggestions:

a. An Ambulance Contract and the forming of a study committee to address by fall Town Meeting.
b. The use of the North Old Town Hall.
c. The Chelmsford 20/20 Committee long range plans for Town and to revisit the Master Plan.
d. Capital Planning Committee and the facility needs of the Town.
e. Leadership Team and how the Town is providing an Integrated Technology Department.

2. *Personnel Board*- Chairman Chase requested more time for applications to come in and suggested appointing the Personnel Board at the Boards next regular meeting on June 25th.

3. *ADHOC Stipend Committee*- Selectman Wojtas suggested appointing this committee at the Boards next regular meeting on June 25th. Selectman Dalton suggested that the web page list the timeframe of committees also with some possible days the committees may meet.

Selectman Referrals:

Selectman Dalton made no referral(s).

Selectman Eliopoulos made the following referral(s):

1. Selectman Eliopoulos stated that there was a meeting scheduled with Mass Highway for the purpose of discussing punch list items and that a RFP would go out for a new study on sound barriers.
2. Selectman Eliopoulos updated the Board on his meeting with resident from Bentley Lane. Selectman Eliopoulos stated that there was better communication with the residents and that the land could be purchased by abutters. Selectman Eliopoulos requested that the Town Manager create a warrant article for fall Town Meeting authorizing the selling of the Bentley Lane property with the restriction that no single or multi-family dwelling can be built on the property.

Selectman Jeannotte made the following referral(s):

1. Selectman Jeannotte reported that the School Committee meeting on May 22nd focused on the idea of a full day Kindergarten in Town.

2. Selectman Jeannotte reported that the parade committee has reviewed the issue of the parades viewing stand.
3. Selectman Jeannotte reported that the Affordable Housing Forum had been moved to September.

Selectman Wojtas made the following referral(s):

1. Selectman Wojtas updated that Board on her work with the MVRC.
2. Selectman Wojtas asked about the Charter being updated on the Town web page. Mr. Cohen noted that he was waiting for legislative approval.
3. Selectman Wojtas asked about a stop sign at Katie's Corner. Mr. Cohen stated that he would follow-up on this issue.

Chairman Chase made the following referral(s).

1. Chairman Chase reported on the retirement party for Dr. Moser held in the new auditorium.
2. Chairman Chase reported that the Towns IT infrastructure was a topic for the leadership meetings.

Press Questions:

Andy Metzger from the Chelmsford Independent asked the following:

1. Mr. Metzger asked about the Circles contract. Mr. Cohen gave Mr. Metzger a copy of the report.
2. Mr. Metzger asked about the borrowing that the Town does and how the new bond rating would affect it. Mr. Cohen stated that a portion of the School Building Project would be bonded.

Rita Savard, of the Lowell Sun, asked the following:

1. Ms. Savard asked how a lower bond rating would affect the Town. Mr. Cohen stated that it would affect the interest rate the Town would receive.
2. Ms. Savard asked about the status of the Capital Improvement Plan and the balance of the stabilization fund. Mr. Cohen stated that the Town has a five year Capital Improvement plan and that the stabilization fund balance is 1.7 million.

Motion: Selectman Eliopoulos made a motion to adjourn at **9:25pm**. Selectman Jeannotte seconded the motion. Motion unanimously carried.

Respectfully submitted,

Patrice Garvin

I, the Clerk of the Board of Selectmen of the Town of Chelmsford, Massachusetts, certify that at a meeting of the board held June 11, 2007, of which meeting all members of the board were duly notified and at which a quorum was present, the following votes were unanimously passed, all of which appears upon the official record of the board in my custody:

Voted: that the Treasurer is authorized to provide for the sale and issuance of refunding bonds in the aggregate principal amount of $13,585,000 under Section 21A of Chapter 44 of the General Laws in order to refund the principal of and redemption premium and interest on the Town's Municipal Purpose Loan of 2002 Bonds dated April 1, 2002, and maturing April 1 in the years 2013 through 2022 in the aggregate principal amount of $12,790,000, and to pay costs of issuance related thereto; and that the Treasurer is further authorized to execute such documents and certificates as may be necessary or desirable to carry out this transaction, including a refunding escrow agreement with a bank or trust company and any documents or certificates relating thereto.

Further Voted: that the sale of the $18,103,000 Municipal Purpose Loan of 2007 Bonds, Series A (the "Series A Bonds") of the Town dated June 15, 2007, to Citigroup Global Markets, Inc. at the price of $18,118,563.49 and accrued interest is hereby confirmed. The Series A Bonds shall be payable on May 15 of the years and in the principal amounts and bear interest at the respective rates, as follows, subject to earlier redemption at the option of the Town as provided in the Preliminary Official Statement dated May 25, 2007:

Year	Amount	Interest Rate	Year	Amount	Interest Rate
2008	$1,168,000	5.50%	2017	$955,000	4.00%
2009	1,160,000	5.50	2018	955,000	4.00
2010	1,160,000	5.00	2019	955,000	4.10
2011	1,160,000	5.00	2020	955,000	4.125
2012	1,040,000	4.00	2021	945,000	4.125
2013	1,040,000	4.00	2022	940,000	4.25
2014	1,040,000	4.00	2023	850,000	4.25
2015	1,040,000	5.00	2024	850,000	4.30
2016	1,040,000	4.00	2025	850,000	4.30

Further Voted: that the sale of the $13,585,000 Refunding Bonds, Series B (the "Series B Bonds") of the Town dated June 15, 2007, to Commerce Capital Markets, Inc. at the price of $13,605,893.17 and accrued interest is hereby confirmed. The Series B Bonds shall be payable on April 1 of the years and in the principal amounts and bear interest at the respective rates, as follows, subject to earlier redemption at the option of the Town as provided in the Preliminary Official Statement dated May 25, 2007:

Year	Amount	Interest Rate	Year	Amount	Interest Rate
2008	$ 170,000	4.25%	2016	$1,280,000	4.25%
2009	60,000	4.25	2017	1,315,000	4.25
2010	60,000	4.25	2018	1,345,000	4.25
2011	65,000	4.25	2019	1,385,000	4.25
2012	70,000	4.25	2020	1,425,000	4.25
2013	1,180,000	4.25	2021	1,465,000	4.25
2014	1,215,000	4.25	2022	1,300,000	4.50
2015	1,250,000	4.25			

Further Voted: to approve the sale of a $18,003,000 4.00 percent Bond Anticipation Note of the Town dated June 21, 2006, and payable June 20, 2008, to Eastern Bank at par and accrued interest plus a premium of $54,005.

I further certify that the votes were taken at a meeting open to the public, that no vote was taken by secret ballot, that notice stating the place, date and time of the meeting was filed with the Town Clerk and a copy thereof posted in the office of the Town Clerk or on the principal official bulletin board of the town at least 48 hours, including Saturdays but not Sundays and legal holidays, prior to the time of the meeting and remained so posted at the time of the meeting, that no deliberations or decision in connection with the sale of the bonds or the note were taken in executive session, and that the official record of the meeting was made available to the public promptly and remains available to the public, all in accordance with G.L. c.39, s.23B as amended.

Dated: June 11, 2007

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Clerk of the Board of Selectmen

TOWN OF CHELMSFORD
BOARD OF SELECTMEN MINUTES
Thursday, June 21, 2007
Senior Center Groton Road

Attending:
Samuel Chase, Selectman Chairman
Philip M. Eliopoulos, Selectman Vice Chair
Clare Jeannotte, Selectman Clerk
Patricia Wojtas, Selectman
William F. Dalton, Selectman
Paul Cohen, Town Manager

6:00pm
Chairman Chase called the meeting to order.

Special Town Meeting Article 1 Circle Company Associates, Inc. TIF:
Andy Sheehan distributed materials to be presented at the Special Town meeting. Mr. Sheehan reviewed the TIF agreement that needed to be approved by the Board. Circles Associates, Inc would take up residence at 300 Apollo Drive and occupy 13% of the building. Mr. Sheehan clarified that the landlord of 300 Apollo Drive was American Industrial Properties. Mr. Sheehan also clarified that the TIF Agreement called for exemptions from taxation based on an incremental schedule; the first year's exemption percentage would be 90% and in the final year the exemption percentage would be 5%.

Mr. Sheehan stated that Circles has agreed to make $5 million in improvements to the building, but that does not translate into an increase in the valuation of the building. Mr. Cohen stressed that the incremental tax exemption does not place an added burden on residents. Mr. Sheehan added that Circles is exempt from a personal property tax under the TIF because it is not a manufacturing facility. Mr. Cohen reported that Circles representatives would be at the meeting to respond to any questions. Mr. Sheehan noted that the company plans to have over 340 employees.

Motion: Selectman Eliopoulos made a motion that the Board of Selectmen sign the Tax Increment Financing (TIF) agreement for Circles Associates, Inc. Selectman Jeannotte seconded the motion. Motion carried.

Motion: Selectman Eliopoulos made a motion to approve the Tax Increment Financing (TIF) agreement between the Town of Chelmsford and Circles Associates, Inc. as set forth in Exhibit A. Selectman Jeannotte seconded the motion. Motion carried.

Motion: Selectman Eliopoulos made a motion to designate 300 Apollo Drive, occupied by Circles Associates, Inc. as an Economic Opportunity Area within the Lowell and Chelmsford Economic Target Area, as identified. Selectman Jeannotte seconded the motion. Motion carried.

Stipend Committee:
Chairman Chase stated that nine applications have been received. Selectman Wojtas asked why there was a need for potential candidates to send in an application to the Town Office, and not to the Selectmen who are appointing the committee. Chairman Chase stated that he would like to follow the process of the Town and that all candidates needed to fill out an application. Selectman Wojtas stated that some applicants may not want to formally submit for fear of rejection. Chairman Chase stated that going forward all committees would be appointed through applications received by the Town office. Selectman Wojtas requested to see candidate's applications as soon as they apply.

Performance Review Town Accountant:
Chairman Chase stated that he met with Kerry Speidel and Mr. Cohen to conduct a six month review of the Town Accountant's performance. Chairman Chase distributed copies of the review. Selectman Eliopoulos asked what the next steps are for the Board. Mr. Cohen stated that the Chairman of the Board would sit down with the Town Accountant and discuss goals. Chairman Chase noted that many of the goals discussed come from the auditors' Management Letter.

Selectman Jeannotte asked why the Town did not use a PO system. Mr. Cohen replied that the focus is currently on changing over to a single chart of accounts.

Selectman Jeannotte was concerned with some of the wording in the Town Accountant's review and requested some editing be done that highlights that the Town Accountant falls under the Board of Selectmen. Chairman Chase stated that the Town Accountant would be receiving a fully satisfactory rating on the review. Selectman Eliopoulos suggested that the Town Accountant provide a quarterly update on the status of the goals. Chairman Chase stated that he would include the quarterly update in the review. Discussion ensued concerning salary and how it compared to the level of experience.

Performance Review of Town Manager:
Chairman Chase asked what format would be used to review the Town Manager, and suggested working off of a template with the same criteria and with each Board member tailoring his/her own comments to it. Selectman Eliopoulos suggested having the review during an informal work session. Selectman Wojtas suggested offering strengths and weaknesses as feedback. Selectman Jeannotte added that the feedback given from the Board should be what the Town Manager needs to succeed. Discussion ensued concerning when to have the review work session and a separate goal session.

> **Motion:** Selectman Eliopoulos made a motion to adjourn at **7:25pm**. Selectman Jeannotte seconded the motion. Motion unanimously carried.

Respectfully submitted,

Patrice Garvin

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA
June 25, 2007

7:00 p.m. **Call to Order**

Public Service Announcements

- Fourth of July Celebration

Open Session

Approval of Board of Selectmen Minutes

- Regular Meeting Minutes - June 4, 2007

Town Manager Bid Awards/Contracts

- Towing Contract
- Visual Display Boards
- Roof Replacement – West Fire Station
- Roof Replacement – North Fire Station
- VCT and Vinyl Base Floor – Harrington School
- DPW – Miscellaneous Bids

Scheduled Business

7:15 p.m. ITAC Committee Report

7:30 p.m. East Chelmsford Water District

7:45 p.m. Change in Hours: Village Grille, 1 Central Square

8:00 p.m. Public Hearing Continued: Verizon Pole Petition – School St.

Appointments

- **Town Manager**
  - Annual Committee Appointments
- **Board of Selectmen**
  - Annual Committee Appointments

Town Manager Reports

Selectmen Initiatives

- Town Manager Interim Review/Process
- 40 B Legislation

Selectmen Referrals

Executive Session

Next Meeting: July 16, 2007

TOWN OF CHELMSFORD
BOARD OF SELECTMEN MINUTES
Monday, June 25, 2007
50 Billerica Rd, Chelmsford

Attending:
Samuel Chase, Selectman Chairman
Philip M. Eliopoulos, Selectman Vice Chair
Clare Jeannotte, Selectman Clerk
Patricia Wojtas, Selectman
William F. Dalton, Selectman
Paul Cohen, Town Manager

7:02pm
Chairman Chase called the meeting to order.

Public Service Announcements:

1. *4th of July Parade Update*- Selectman Dalton updated the Board on activities scheduled for July 3rd and July 4th in the Town Center. Selectman Dalton also reminded the public of upcoming road closing due to July 4th activities.

Open Session:

1. Kelly Beatty, President of Chelmsford Telemedia (CTM) listed three main activities of CTM. Mr. Beatty informed the Board that the Memo of Understanding, between the Town and Comcast, has lapsed and needed to be renewed. Mr. Beatty outlined a recent Verizon bill that could change the landscape of the cable operators if passed in the legislature. Mr. Beatty briefly explained the FCC decency laws and noted that CTM abides by the law concerning adult content. Selectman Wojtas asked Mr. Beatty to identify the channels that fall under CTM. Mr. Beatty stated that Channel 8, Channel 10 and Channel 22 are available to residents. Mr. Beatty reported that CTM is looking into streaming media so CTM programming would be available through the internet.
2. Donald Stephens, resident of Dunstable representing retirees in Chelmsford, gave a brief history of the equality concerning the retirees in Town. Mr. Stephens cited a disagreement between the Town and the current percentage contribution that applies for retiree health insurance. Mr. Stephens stated that retirees are not hurting the Town and that he approved of adopting Section 18. Mr. Stephens wants the Insurance Advisory Board to have more discussion concerning health insurance issues.

ITAC Committee Report, Dennis Bak:
Mr. Bak presented the Board with the incomplete final report from the ITAC Committee. Mr. Bak referred to the Executive Summary and outlined the need for the Town to improve its infrastructure. Mr. Bak noted the need to build out a fiber/wireless network. Mr. Bak stated that the committee ran out of time and concerns still needed to be

discussed. Mr. Bak reported that the recommendations from the ITAC Committee were to develop a unified IT function, and if the Town does proceed, to refine the proposal to address any concerns. Phase I is to begin the install, while Phase II (build out) and Phase III (wireless) are to be held off. Mr. Bak stated that the committee wants the Town to get a return on its investment on the infrastructure. Mr. Bak gave a brief description of the committee's vision of the infrastructure in the future assuming a ten year life span. Mr. Cohen discussed the possible next steps for the ITAC Committee and whether it should be turned over to the Leadership Team because there are some governance issues. Chairman Chase thanked Mr. Bak and his committee for all of their hard work.

Change in Hours: Village Grille, 1 Central Square:

Pauline Curtis of the Village Grille requested a change in operating hours.

Motion: Selectman Eliopoulos made a motion to approve the increase of hours of operation for the Village Grille, 1 Central Square, to 11:00pm (from 2:00pm) seven days a week. Selectman Jeannotte seconded the motion. Motion carried.

Approval of Minutes:

Motion: Selectman Eliopoulos made a motion to approve the regular meeting minutes for June 4, 2007; Amended- Page 1 added July 4th donor Harold Kecey, Jim Lane identified as a Precinct 7 Town Meeting Representative and ATEF from ATF. Selectman Jeannotte seconded the motion. Motion carried.

East Chelmsford Water District:

Kathy McGonagall, Commissioner, thanked the Board for her opportunity to speak and updated the Board concerning recent District activities. Ms. McGonagall stated that the East Water District is the smallest district in Town and it is in the process of updating equipment. Ms. McGonagall stated that a new filter system would be replaced and completed next year.

Ms. McGonagall distributed material to the Board showing pictures of some trucks parking for long periods of time near water wells. Mr. Cohen stated that he discussed the trucks issue with Mr. Pearson and the Town is practicing aggressive enforcement to stop the long term parking.

Public Hearing Continued- Verizon Pole Petition, School Street:

Robert Grassier, Engineer Manager from Dracut, gave the Board an update on North Road poles, which the Board requested a report on before it would grant any Verizon petitions. Mr. Grassier stated that cables had been ordered to start work on removing the poles on North Road and work should begin the week of July 4th. Mr. Grassier stated that the work could take up to ninety days to complete before the pole is removed. Mr. Grassier reported that there are very old cables that need to be replaced, and this is the reason for the length of time it has taken to remove the pole. Chairman Chase requested that a written response be given to the Town Manager listing Verizon proposed actions. Selectman Wojtas suggested tabling the motion until it is proven that work has been started the week of July 4th. Selectman Dalton agreed with tabling the issue because it is a public safety issue.

Motion: Selectman Eliopoulos made a motion to continue the Verizon Pole Petition- School Street until the next BOS regular meeting July 16, 2007. BOS at that time will approve pole petition number 40/6, dated April 24, 2007 provided that Robert Grassier submits a written schedule to the Town Manager and that work commences to remove the two poles on North Ave. Selectman Jeannotte seconded the motion. Motion carried

Public Comment

1. Ralph Hickey discussed problems with the poles in the center and there not being a clear path around them for wheelchairs.

Town Manager Awards:

1. *DPW Miscellaneous Bids-*
   Motion: Selectman Eliopoulos made a motion to approve the Town manager bid awards with the exception of the following, which were withheld:
   a. Crack Sealing awarded to Crack Sealing Inc. for the amount of $5.21
   b. Vertical Granite Curb-Type VB to Allied Paving for $20.50.
   Selectman Jeannotte seconded the motion. Motion carried.

2. *Visual Display Boards-*
   Motion: Selectman Eliopoulos made a motion to approve the bid award for Visual Display Boards at McCarthy Middle School, Parker Middle School and the High School to Shiffler Equipment Sales, Inc. PO Box 232 Chardon, OH for the amount of $87,184.19. Selectman Jeannotte seconded the motion: Motion carried.

3. *Roof Replacement, West Fire Station-*
   Motion: Selectman Eliopoulos made a motion to approve the bid award for the roof replacement at the West Fire Station, to Belcour Corp., 99 Front Street Woonsocket, RI for the amount of $22,200. Selectman Jeannotte seconded the motion. Motion carried.

4. *Roof Replacement, North Fire Station-*
   Motion: Selectman Eliopoulos made a motion to approve the bid award for the roof replacement at the North Fire Station, to Judd Brothers Roofing Inc., 94 Hollis St. Lowell for the amount of $32,000. Selectman Jeannotte seconded the motion. Motion carried.

5. *VCT and Vinyl Base Floor, Harrington School-*
   Motion: Selectman Eliopoulos made a motion to approve the bid award for VCT and Vinyl Base Floor at the Harrington School, to Fellsway, Inc for the amount of $78,890. Selectman Jeannotte seconded the motion. Motion carried.

6. *Towing Contract-* Mr. Cohen commented on the recent report in the media regarding the Town's towing contract. Mr. Cohen stated that the review of the bidding was thorough and that the police chief was consulted, as well as Town counsel. Mr. Cohen stated that criminal background checks were conducted and

that five bids were received. Mr. Cohen reported that Christopher Towing was the highest bidder, while Ferreira Towing was the second highest bidder. Mr. Cohen reported that Christopher Towing met all of the requirements and he recommended that Ferreira Towing be the alternate Towing Company.

Chief Murphy gave the Board a brief update on Towing in the Town and stated that tows result from accidents and unregistered vehicles, not parking violations. Chief Murphy stated that towing services are not recommended by police officers on scene. Chief Murphy stated that CORI checks had been done on Christopher Towing and they were a qualified bidder. Chief Murphy corrected the listed bid price for Ferreira as $31.62. Chairman Chase asked what percent of tows goes to the alternate tower. Chief Murphy replied that alternate towers are called usually if there is a multi car accident. Chief Murphy stated that he would not make the recommendation if there were public safety concerns. Chief Murphy noted that license checks on drivers are conducted yearly.

Public Input

1. Barbara Renison stated that Ferreira Towing has been serving the Town of Chelmsford for over thirty years. Ms. Renison stated that the towing company has also been an active participant in Town activities and had the ability to handle big rigs.
2. Susan Klein, resident Park Rd. stated that she is concerned with a convicted felon employed at Christopher Towing and asked if drivers would be driving stranded passengers. Chief Murphy replied that generally passengers do not go with tow drivers.
3. Patrick Wood, attorney representing Ferreira Towing commented on the Ferreira's thirty year service to the Town. Mr. Wood commented on the RFP and that it was not clear about which vehicles would be towed and that Ferreira based its proposal on non commercial vehicles. Selectman Dalton asked why this item is now being debated because the bidding process is closed, and this type of post-bid discussion is not part of the normal procedure. Mr. Wood requested that new proposals be submitted. Mr. Cohen stated that opening the bidding process again would cast doubt on the integrity of the process.

Motion: Selectman Eliopoulos made a motion to approve the bid award for the Town's towing contract to Christopher Towing, 9 Kidder Rd, Chelmsford for the amount of $40 per tow and an additional $25 administration fee; with an alternate towing provider specified as Ferreira's at 293 Littleton Rd, Chelmsford for $31.62 per tow with an additional $25 administration fee. Selectman Jeannotte seconded the motion. Motion carried.

Town Manager Annual Committee Appointments:

Mr. Cohen referred to the list of appointments that the Board needed to approve and noted expiration terms had changed. (Changes made at the meeting are highlighted.) NOTE: If there is no date under appointment than there was no re-appointment.

Motion: Selectman Eliopoulos made a motion to approve the following names, committees and expiration of terms. Selectman Jeannotte seconded the motion. Motion carried.

Title/Committee		Name	Appointee	Expiration
Board of Appeals			**3yr term , 1 yr. for Alternates**	
		James M.		
	alt.	Begley		6/30/2008
		Eileen M.Duffy		6/30/2010
		William J.		
		Gilet, Sr.		6/30/2010
	alt.	Joel J. Luna		6/30/2008
		Judith A.		
	alt.	Tavano		6/30/2008
Arts and Technology			**3 year term**	
		George A.		
		Ripson, Sr.		6/30/2010
Capital Planning Committee			**1 year term**	
		Dennis Bak		6/30/08
		John		
		Morrison		6/30/08
		Donald F.		
		VanDyne		6/30/08
Coalition Against Crime		Kathy Cryan-Hicks	**DISBANDED**	
		Holly Hamilton		
Community Teamwork			**1 year term**	
		Diana Ryder		6/30/08
Conservation Commission			**3 year term**	
		David J.		
		McLachlan		6/30/10
		Anthony		
		Omobono		6/30/10
Appoint for an unexpired term		Carolyn Hampton (rsnd)	*Chris Garrahan*	6/30/09

Council on Aging

	3 year term	
Stella Apostolos	**Stella Apostolos**	**6/30/09**
Diana Boisvert	**Diana Boisvert**	**6/30/09**
~~John Clancy~~	*Walter Cincevich*	6/30/10
John H. Cody	**John H. Cody**	**6/30/09**
Robert J. Grippo	**Robert J. Grippo**	**6/30/09**
~~Joan Latourneau~~	*Hank McCall*	6/30/10
Louise Myers	**Louise Myers**	**6/30/08**
Mary Jane Rainge	**Mary Jane Rainge**	**6/30/08**
Paul Sweeney	**Paul Sweeney**	**6/30/08**
~~Thomas D. Turner~~	*Enid Rocha*	6/30/10
Elizabeth A. Warburton	**Elizabeth A. Warburton**	**6/30/08**

Commission on Disabilities

3 year term	
William Favreau	6/30/2010
Elaine Marinella	6/30/2010
Leonard Olenchak	6/30/2010
John E. Zamagni	**6/30/2009**

Cultural Council

	2 year term	
~~Kerry A. Bernier~~		6/30/2009
Karen R. McHenry	**Karen R. McHenry**	**6/30/2010**
~~Eric Salerno~~	***Linda Jean Smith***	**6/30/2010**
~~Sheila Schultz~~	***David Cunningham***	**6/30/2010**
~~Alexandra Roark~~		6/30/2008

Consolidated DPW & FD Facility Plan Committee

		1 year term	
	Edwin Paul Eriksen	Edwin Paul Eriksen	6/30/08
	~~Dennis Greenwood~~	***David Tyler***	**6/30/08**
	Henry A. Houle	Henry A. Houle	6/30/08
	John P. Kivlan	John P. Kivlan	6/30/08
	Patrick Maloney	Patrick Maloney	6/30/08
	John Parow	John Parow	6/30/08
	James Pearson	James Pearson	6/30/08
	David Turocy	David Turocy	6/30/08
Emergency Management			
		1 year term	
	John Abbott		6/30/08
	Walter Ohm		6/30/08
	Paul Eriksen		6/30/08
	Walter Hedlund		6/30/08
	Stephen Maffetone		6/30/08
Fence Viewer			
		1 year term	
	Jim Pearson	**Jim Pearson**	**6/30/08**
Great Brook State Park Advisory Board			
		1 year term	
	Harold Matzkin		6/30/08
Hazardous Waste Coordinator			
		1 year term	
	Richard Day		6/30/08
Historic District Commission			
		3 year term	
	Brenda Lovering	Brenda Lovering	6/30/2010
	Herbert Pitta	Herbert Pitta - Alt.	6/30/2010
Historical Commission			

John C. Alden	**John C. Alden**	**6/30/10**
George Merrill	**George Merrill**	**6/30/10**
Martha Sanders	*Vacant*	6/30/09
Kevin Goddu	*Vacant*	6/30/09

Information Technology Advisory Comm

Dennis Bak	
Paul DeLuca	
Bruce Forrester	
Charles Keen	
Ted Lutter	
Troy O'Neil	
Roger Pringle	
Tim Schreyack	

Local Emergency Planning Committee

	1 year term	
Richard Day		6/30/08
Walter Hedlund		6/30/08
James F. Murphy		6/30/08
John E. Parow		6/30/08
James E. Pearson		6/30/08
Gary Persichetti		6/30/08
Susan Rosa		6/30/08
James Sousa		6/30/08
Andrew Sheehan		6/30/08

Recycling Committee

	1 year term	
Kathryn Brough		6/30/08
Mark Gallagher		6/30/08
Ronald Goodner		6/30/08
Marc Grant		6/30/08
Nancy Kaelin		6/30/08

	Johanna Morse	6/30/08	
	Bonnie Rankin	6/30/08	
	vacancy	*Norman Eisenmann*	6/30/08
School Building Committee			
	1 year term		
	Alexander Buck	6/30/08	
	Nicholas Desilvo	6/30/08	
	Patrick Maloney	6/30/08	
	Thomas Newcomb	6/30/08	
	Gary Persichetti	6/30/08	
	David Turocy	6/30/08	
	Christina Walsh	6/30/08	
Sign Advisory Committee			
	1 year term		
	Harry Hamelin	6/30/08	
	Vacancy		
	Vacancy		
Solid Waste/Recycling Task Force			
	1 year term		
	Douglas Drake	6/30/08	
	Peter Dulchinos	6/30/08	
	Susan J. Gates	6/30/08	
	Marc Grant	6/30/08	
	Elaine MacDonald	6/30/08	
	Alison Powers	6/30/08	
	Donald VanDyne	6/30/08	
Telecommunications Advisory Committee			
	1 year term		
	Noel R. Dulac	6/30/08	
	John Fahey	6/30/08	

Robert Haign	6/30/08
James Hickey	6/30/08
Frederick Peterson	6/30/08

Board of Selectmen Annual Appointments:

1. *Capital Planning Committee-*

Motion: Selectman Eliopoulos made a motion to approve Dennis Bak and Joan Morrison to a one year term on the Capital Planning Committee. Selectman Jeannotte seconded the motion. Motion carried.

2. *Public Celebrations Committee-*

Motion: Selectman Eliopoulos made a motion to approve the following names to the Public Celebrations Committee: Walter Hedlund, Robert Kelley, David Marderosian, and James Gifford to a one year term expiring 6/30/08. Selectman Jeannotte seconded the motion. Motion carried.

3. *Town Counsel-*

Motion: Selectman Eliopoulos made a motion to approve Kopelman and Page as town counsel for a one year term expiring 6/30/08. Selectman Jeannotte seconded the motion. Motion carried.

4. *Personnel Board- Selectman* Wojtas stated that Jim Lane could not serve on this committee because he holds an elected position in Town. Selectman Jeannotte suggested advertising more for the committee and wait to appoint it at the next Board meeting.

5. Stip*end Committee-* Selectman Wojtas offered Chris Garrahan and Tom Newcomb as her candidates for appointment. Chairman Chase explained the appointment process that applies to this committee and asked if all candidates had completed the application form.

Motion: Selectman Eliopoulos made a motion to approve the Stipend Committee to include the following members: Dennis Ready Chair, Tom Newcomb, Chris Garrahan, Fred Marcks, Sheila Pichette, Bill Martin, Colleen Stansfield, Ken Freeman, and Glenn Doherty. Selectman Jeannotte seconded the motion. Motion carried.

Town Manager Reports:

1. Mr. Cohen reported that the new employee elected representative for the Personnel Board is Michael Vosnakis of the Sewer Commission.
2. Mr. Cohen reported that he had additional correspondence from Geoff Hall's office concerning the Rte. 495 rest area cell tower issue. Mr. Cohen stated that the cell tower would be placed on the non residential side of the highway. Mr. Cohen thanked Representative Hall and his office for their work on the issue.

3. Mr. Cohen reported that there is a hearing at the statehouse scheduled on Wednesday June 27th in regards to the ballot approved charter change; changing the number of town meeting representatives to coincide with the federal census.
4. Mr. Cohen reported that an application for a LIP was received for a three unit development on Glenn Ave and B Street.
5. Mr. Cohen reported that Donna McIntosh, the Town Manager Executive Assistant would be leaving for a new job in Lowell. Mr. Cohen thanked Ms. McIntosh for all of her work.

Selectman Initiatives:

1. *Town Manager Interim Review/Process*- Chairman Chase stated that the review is scheduled for July 3, 2007 public session at noon.
2. *40B Legislation*- Chairman Chase commented on a letter received from the town of Walpole requesting support on changes to the 40B law they were submitting. Selectman Wojtas stated that there were many bills that came to the legislature and that the Board should find a bill that correlates with the needs of Chelmsford and to look at the full picture. Selectman Dalton stated that our own delegation has sponsored bills to change 40B, and that we should support any efforts at change because something needed to be done. Selectman Jeannotte stated that communities do not look at 40B developments in the same way. Chairman Chase stated that the letter asked only for the Chelmsford Board to take action by supporting legislation to modify the existing law and to notify our delegation that we have done so, and that there is no harm in our Board signing on.

Motion: Selectman Eliopoulos made a motion to support the efforts of the Town of Walpole concerning their 40B legislation and that the Board should follow through on the requests made in the letter received. Selectman Jeannotte seconded the motion. Motion carried (4-1).

Selectman Referrals:

Selectman Dalton made the following referral(s).

1. Selectman Dalton reported that he was pleased with the parade committee and the money raised from selling raffle tickets.
2. Selectman Dalton requested an update on the Smith Street Bridge. Mr. Cohen stated that an order was approved to have the culverts replaced this summer.
3. Selectman Dalton reported that he was pleased with how the Leadership Team was proceeding.

Selectman Wojtas made the following referral(s):

1. Selectman Wojtas asked about the handicap parking spots in the center of Town. Mr. Cohen stated that he would follow-up.
2. Selectman Wojtas reported on the NMCOG meeting. Selectman Wojtas stated that the 40B on the Westford line on Littleton Road was discussed. Selectman Wojtas stated that a new Executive Director is being sought due to retirement.
3. Selectman Wojtas suggested working with Ms. Herbert in the Town Manger's office on the Town's Board of Selectmen webpage.

Selectman Jeannotte made the following referral(s):

1. Selectman Jeannotte stated that due to a conflict of interest she had to step down as the liaison for Nashoba Technical High School Chairman Chase offered to replace Selectman Jeannotte as liaison.
2. Selectman Jeannotte commented on the Precinct 7 meeting and thanked Jim Lane for his hard work.
3. Selectman Jeannotte requested a quarterly financial report from the Town Manager.

Selectman Eliopoulos made the following referral(s):

1. Selectman Eliopoulos reported that Cam Chen of Burlington, MA was chosen to conduct the sound barrier study. Selectman Eliopoulos added that work in the neighborhoods would be conducted.

Chairman Chase made the following referral(s).

1. Chairman Chase stated that there are many complaints by citizens regarding the enforcement of the Town's Sign Bylaw. Chairman Chase stated that he felt there were multiple violations in Town and asked the Town Manager to follow up with the Building Inspector.

Press Questions:

Andy Metzger from the Chelmsford Independent requested a list of all of the annual Town appointments.

Motion: Selectman Eliopoulos made a motion to adjourn at **10:15pm**. Selectman Jeannotte seconded the motion. Motion unanimously carried.

Respectfully submitted,

Patrice Garvin

TOWN OF CHELMSFORD
BOARD OF SELECTMEN MINUTES
Tuesday, July 3, 2007
50 Billerica Road

Attending:
Samuel Chase, Selectman Chairman
Philip M. Eliopoulos, Selectman Vice Chair
Clare Jeannotte, Selectman Clerk
Patricia Wojtas, Selectman
William F. Dalton, Selectman
Paul Cohen, Town Manager

12:20pm
Chairman Chase called the meeting to order and explained that the Board had convened for the purpose of giving a six month review of the Town Manager. Chairman Chase noted that a written form of the review was requested by the Town Manager. Chairman Chase stated that each selectman would have the opportunity to give feedback.

Selectman Wojtas Town Manager Feedback:
Selectman Wojtas noted demonstrated creativity and innovation of the current Town Manager. The Town Manager is viewed as non territorial and willing to share the credit. Selectman Wojtas commented on the Town Manager's accessibility to residents and participation in Town events. Selectman Wojtas is concerned that the Town Manager may be too accessible to residents, and offered an example of a resident who is known to drop in frequently and monopolize the Manager's time... Selectman Wojtas is also pleased with the Town Manager's willingness to form committees to study various issues.

Selectman Wojtas is concerned with the formation of two committees, the DPW Facility Committee and the Solid Waste Recycling Task Force. Selectman Wojtas stated that the DPW Fire Committee may have stakeholders that could sway the argument. Mr. Cohen replied that the DPW committee was chosen from those who applied and that there was a balance of stakeholders and community members. Mr. Cohen stated in regards to the Solid Waste Recycling Task Force his goal was to get new people involved in Town.

Town Run Ambulance
Mr. Cohen stated that he is now active with the Ambulance study and that he has met with union members to revise their existing proposal. Mr. Cohen noted that key people are involved in this effort and the next steps for the proposal are being considered. Mr. Cohen mentioned the idea of a possible committee studying the Ambulance proposal. Mr. Cohen stated that he sees it not as an ambulance service issue but a fire protection issue. Selectman Wojtas advised that the fire chief not be on the committee if one is formed. Selectman Eliopoulos suggested that Board involvement be considered to study the issue.

Leadership Team
Mr. Cohen commented on the Leadership Team and where this group is going. Mr. Cohen is looking for direct feedback on the Leadership Team. Selectman Jeannotte agreed that the direction of the Leadership Team is in question. Chairman Chase stated that the Leadership Team needs more definition as to scope. Selectman Dalton stated that where the Leadership Team is heading is good for the community.

Selectman Wojtas Feedback *Cont:*
Selectman Wojtas asked if the Town Manager could try to give alternate explanations at Town Meeting on issues. Selectman Wojtas is concerned with the Town Manager sharing information with other departments, and gave a recent example of trouble with a department head. Mr. Cohen replied that the situation is being addressed. Selectman Dalton suggested that if department heads see a problem they should approach the Town Manager.

Selectman Wojtas noted that there appears to be an issue with Town employee subordinates being unsure about how the Town Manager feels about their position status within the Town employee structure. Mr. Cohen replied that he has a tendency to observe before acting and that has the potential of creating distance. Mr. Cohen stated that he has no plans to replace anyone. Mr. Cohen noted that he is aware that some staff may not be happy and he is working to improve the relationships. Mr. Cohen commented on the recently vacated Executive Assistant position and stated that there are six internal candidates. Selectman Jeannotte suggested some outreach to help make people feel valued and encouraged to stay. Mr. Cohen continued to discuss department heads and his relationship with them through the transition. Mr. Cohen added that he builds his relationships on trust. Selectman Eliopoulos stated that it is incumbent on the Town Manager to take initiative and let department heads know how valuable they are. Mr. Cohen replied that that was done during the recent reviews. Selectman Eliopoulos added that it is an issue of morale and that people need to feel safe. Selectman Dalton commented that he had not heard negative comments from the Town employees and that since the new Town Manager had come on board the feeling of tension has lifted.

Selectman Jeannotte Town Manager Feedback:
Selectman Jeannotte recognized there is past history relative to how the Town was managed but noted that this review is about the present and not the past. Selectman Jeannotte noted positive comments made about the Town Manager and suggested that the Town Manager identify key people to build relationships within Town Hall. Selectman Jeannotte commented on the Town Manager being true to his word about participating in Town events and meetings. Selectman Jeannotte stated that the Town Manager has knowledge of the profession and asked about his plans for personal professional development. Mr. Cohen replied that he has been a Town Manager for over seventeen years and that he is not formally involved with ICMA and the MMMA because he feels that those organizations are largely self-promoting and do not do much to support an individual Manager's professional growth/development. Mr. Cohen stated that he would like to focus on Economic Development in Town and improve receiving money from the state.

Selectman Jeannotte commented on communication with the Board and requested an increased heads up prior to Board meetings. Mr. Cohen noted the recent transition involving a change of Chairman and addition of new selectmen and that his approach is to let the Board know what is going on in Town. Mr. Cohen stated that there could be a perception that he speaks to one Board member more than another but that is not the case. Selectman Jeannotte also noted an inkling of a temper and wanted Mr. Cohen to address it.

Selectman Dalton Town Manager Feedback:

Selectman Dalton noted the need to discuss what has happened in the past because three out of the five members of the Board worked under the prior administration and they see the differences. Selectman Dalton commented on there being last minute materials distributed. Selectman Dalton stated that the Town Manager is capable and professional and noted his work with contract negotiations as excellent. Selectman Dalton is also pleased that the Town Manager is taking a hands-on role in the economic development of the Town.

Selectman Eliopoulos Town Manager Feedback:

Selectman Eliopoulos stated that hiring a new Town Manager was probably the most important thing that he could do as a selectman. Selectman Eliopoulos is pleased that the residency issue has not been a problem. Selectman Eliopoulos stated that when he hears positive things regarding the Town Manager he shares those comments. Selectman Eliopoulos is unsure sometimes where the Town Manager is coming from relative to his philosophy and what the Town Manager's personal thoughts on an issue may be. Selectman Eliopoulos commented on the idea of a Board retreat to help build relationships among Board members and the Town Manager.

Chairman Chase Town Manager Feedback:

Chairman Chase stated that he is mindful of the time the Town Manager has been in his position, and that this performance commentary must be placed within that context. Chairman Chase also noted the danger of projecting our personal management styles onto an employee under review. Chairman Chase noted the most important part of a relationship is trust and gave the Town Manager high marks in all areas. Chairman Chase noted the quickness that the Town Manager was able to establish a comfort level with people. Chairman Chase stated that the Town Manager is resourceful and has good judgment that will help him foster relationships with subordinates and others with whom he must work. Chairman Chase stated that the Town Manager has a good political sense but does not use politics to make his decisions. Chairman Chase commented that Mr. Cohen may show too much deference when there is a problem with an employee, and suggested that there are times when it is entirely appropriate for the Town Manager to demonstrate his authority. Chairman Chase concluded by stating the Town Manager has served the Board well and supported the idea of a Board retreat.

Town Manager Response to Board Feedback:

Mr. Cohen thanked the Board for their feedback and emphasized that he is not looking to use this job to go on to a larger situation. Mr. Cohen commented on the boards in Town and their good composition. Mr. Cohen stated that a retreat is a good opportunity to make relationships better. Mr. Cohen commented on the issue of his temper and stated that is something he could work on.

Mr. Cohen stated that there is a technical side and a human side when communicating with the Board. Mr. Cohen stated that turn over in the Towns employee base could continue. Mr. Cohen stated that he looks forward to working with the Board. Mr. Cohen added that the hardest part of the job is managing personnel issues.

New/Old Business:

1. Mr. Cohen requested a Board quorum on July 12th to discuss budget adjustments at a joint meeting with the FinCom.
2. Mr. Cohen stated that the new charter change requires a list from the Town Manager of people who can act as Town Manager in case of an absent Town Manager. The list includes in alphabetical order the following names: Police Chief James Murphy, Public Works Director James Pearson, and Finance Director Kerry Speidel.
3. Mr. Cohen commented he was leaving for a week each in July and August and asked if the Board wanted someone appointed from the list. It was determined that an appointment is not needed.
4. The time of the Goal Session scheduled for July 16th was changed to 5:30pm.
5. Selectman Dalton commented that Mr. Tom Newcomb had not filled out an application to be on the Stipend Committee by the deadline; therefore his appointment should be rescinded. Selectman Wojtas stated that Mr. Newcomb was her appointment and that the Stipend committee is a different kind of committee. Selectman Wojtas also commented on not being aware that the Capital Planning Committee and the Celebration Committee are Board appointed committees. Selectman Dalton is concerned that there will be a perception that a double standard exists if Mr. Newcomb is on the committee even though he did not fill out an application. Selectman Dalton suggested that another name be picked from the list of those who did apply. Chairman Chase stated that the process was not followed in Mr. Newcomb's case and agreed that there is a problem with the appointment of Mr. Newcomb to the Stipend Committee. Mr. Cohen advised against rescinding Mr. Newcomb's appointment. Ms. Wojtas requested deferring the vote in order to talk with Mr. Newcomb about whether or not he applied.

   Motion: Selectman Dalton made a motion to rescind the appointment of Tom Newcomb to the Stipend Committee due to his lack of filling out the Town Application. Selectman Eliopoulos seconded the motion. Motion carried. (4-1)

The Board decided to appoint the new member to the Stipend Committee on July 12th, prior to the FinCom meeting in order to give Selectman Wojtas time to speak to the two candidates.

Motion: Selectman Eliopoulos made a motion to take a formal vote on July 12, 2007 on Selectman Wojtas selection for the Town Stipend Committee. Selectman Jeannotte seconded the motion. Motion carried.

Motion: Selectman Eliopoulos made a motion to adjourn at **3:15pm**. Selectman Jeannotte seconded the motion. Motion unanimously carried.

Respectfully submitted,

Patrice Garvin

TOWN OF CHELMSFORD
BOARD OF SELECTMEN MINUTES
Thursday, July 12, 2007
50 Billerica Road, Town Offices

Attending:

William F. Dalton, Selectman
Philip M. Eliopoulos, Selectman Vice Chair
Clare L. Jeannotte, Selectman Clerk
Patricia Wojtas, Selectman

Paul Cohen, Town Manager
Darlene Lussier, Town Accountant
Kerry Speidel, Finance Director

7:25 pm
Vice Chairman Eliopoulos called the meeting to order.

Stipend Review Committee:
Selectman Wojtas made a motion to appoint Eric Dahlberg to the Stipend review Committee. Selectman Jeannotte seconded the motion. Vote was unanimous (4-0) to approve.

FY07 End of Year Budget Adjustments:

Vice Chairman Eliopoulos noted that the Board would now begin a joint meeting with the Finance Committee to address budget adjustments for the end of Fiscal Year 2007.

Town Manager Paul Cohen explained that the purpose of this joint meeting was to request approval of appropriation transfers for Fiscal Year 2007. He described how Chapter 77 of the Acts of 2006 amended Massachusetts General Laws Chapter 44, Section 33B to provide towns with greater flexibility to make end of year budget transfers. During the last two months of a fiscal year and the first 15 days of July, the Board of Selectmen, with the agreement of the Finance Committee, may transfer any departmental appropriation to another appropriation within the same or other department. However, this procedure may not be used to transfer from the school department budget or more than 3% of a department's annual budget or $5,000, whichever is greater.

Finance Director Kerry Speidel reviewed four requests for appropriation transfers. The first request was for a transfer in the amount of $23,921.97 to Municipal Administration Personnel. She explained that the funding was needed for payroll expenses in the Assessors Office to provide coverage during an employee's absence due to a chronic medical condition.

The second request was for a transfer in the amount of $3,291.05 to Cemetery Commission Personnel. Kerry explained that the deficit was created as a result of a vacation buyback payment to the Cemetery Foreman who retired on June 28.

The third request was for a transfer in the amount of $1,164.77 to Library Expenses. Kerry explained that the deficit was created as a result of the increased cost of electricity.

The fourth and final request was for a transfer in the amount of $19,797 to fund the tuition for a Chelmsford student who attended Minuteman Regional High School this past school year. Kerry explained that under State law a student is allowed to attend a vocational school outside of his or her district if the educational program sought by the student is not offered in the student's district. Clare noted that there should have been better communication from the Chelmsford School Department to the General Government offices of the Town regarding this student's attendance at Minuteman Tech.

Selectman Jeannotte motioned to approve the reduction of Line 5 Public Safety Personnel in the amount of $19,797 and the increase of Line 17 Undistributed in the amount of $19,797. Selectman Dalton seconded the motion. Vote was unanimous (4-0) to approve.

Selectman Jeannotte motioned to approve the reduction of Line 2 Municipal Administration Expenses in the amount of $23,921.97 and the increase of Line 1 Municipal Administration Personnel in the amount of $23,921.97. Selectman Dalton seconded the motion. Vote was unanimous (4-0) to approve.

Selectman Jeannotte motioned to approve the reduction of Line 12 Cemetery Commission Expense in the amount of $3,921.05 and the increase of Line 11 Cemetery Commission Personnel in the amount of $3,921.05. Selectman Dalton seconded the motion. Vote was unanimous (4-0) to approve.

Selectman Jeannotte motioned to approve the reduction of Line 2 Municipal Administration in the amount of $1,164.77 and the increase of Line 16 Library Expenses in the amount of $1,164.77. Selectman Dalton seconded the motion. Vote was unanimous (4-0) to approve.

Paul informed the Board of Selectmen and Finance Committee that the financial close of Fiscal Year 2007 had gone well. He explained that the Town's auditors had already begun the examination of the financial records. He started that Local Receipts for FY07 saw a downturn in motor vehicle excise tax collections and in permit fees. This was offset by higher than budgeted investment income earnings. He noted that property tax collections were down, which was due to the difficulties in the housing market in the economy. Kerry noted that property tax collections still exceeded 98%.

Town Accountant Darlene Lussier explained that the unified chart of accounts between the General Government and the School Department was being implemented. She noted the cooperation that she had received from School Business Manager Bob Cruickshank and his assistant John Souza.

Paul noted that for the past few years the Town has been budgeting for only 26 bi-weekly pay periods per year. Since this covered a total of 364 days, the Town's first payroll period for the subsequent fiscal year has been falling back further into June. The

beginning date of the first payroll period for Fiscal Year 2008 was on June 21. He explained that if this trend were to continue, the Town would need to fund a 27th payroll in Fiscal Year 2011 to catch up to the July 1 start date for a fiscal year.

Finally, Paul informed the Board of Selectmen and Finance Committee that negotiations had been completed with all of the Town's unions to increase the health insurance co-payments for medical office visits from $5 to $15 and for emergency room visits from $25 to $50. This change will be implemented on September 1. He reminded everyone that the savings created as a result of the reduction in the health insurance premiums had already been factored into the FY08 operating budget.

There being no further business before the Board, Selectman Jeannotte motioned to adjourn, seconded by Selectman Dalton. The meeting adjourned at 8:20 p.m.

NEXT REGULAR MEETING:
The next meeting of the Board of Selectmen is scheduled for July 16, 2007 at 7:00 p.m.

Respectfully submitted,

Paul E. Cohen
Town Manager

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA
July 16, 2007

7:00 p.m. Call to Order

Public Service Announcements

- Parade Committee
- Chelmsford Open Space Stewardship

Open Session

- Citizen Petition - Pond Street
- "Slow Growth Initiative" Citizen Petition *Tab 1*

Town Manager Bid Awards/Contracts

- Parker School Roof Award *Tab 2*

Approval of Minutes

- May 3, 2007-- Executive Session (Town Counsel Update) *Tab 3*
- June 11, 2007 – Meeting Minutes (Work Session – Bond Issuance)
- June 21, 2007 – Meeting Minutes (Prior to Special Town Meeting)
- June 25, 2007 -- Regular Meeting Minutes
- July 3, 2007 – Meeting Minutes (Work Session)
- July 12, 2007 – Meeting Minutes (Joint Meeting-Finance Committee)

Town Manager Appointments

BOS Appointments

- Board of Registrars – Republican Representative *Tab 4*

Unscheduled Business

- Chelmsford Telemedia Memorandum of Understanding (MOU) *Tab 5*
- Gift of Land – Lot 3 Robin Hill Road *Tab 6*
- Restrictive Covenant for 1 Academy Street – Vote to sign and execute pursuant to Article 20 of Spring 2007 Annual Town Meeting *Tab 7*

7:30 p.m. Scheduled Business

8:00 p.m. **Pole Petition - Brick Kiln Road**

8:05 p.m **Pole Petition – Main Street**

Town Manager Reports

Selectmen Initiatives

- Personnel Board
- Bentley Lane Land Parcel ???

Selectmen Referrals

Executive Session

Next Meeting: August 27, 2007

******Meeting is Televised******

7:30 p.m.	Common Victualer License- Triangle Variety Store, 148 Groton Rd.	*Tab 8*
7:35 p.m.	Common Victualer License – Café Madrid, Alpine Lane	*Tab 9*
7:45 p.m.	Change in Manager – The Big Kahuna, Courthouse Lane	*Tab 10*
7:50 p.m.	Change in Manager – American Legion	*Tab 11*
7:55 p.m	Verizon Pole Petition – School St.	*Tab 12*
8:00 p.m	LIP Proposal: "5 B Street Place"	*Tab 13*

Town Manager Reports

Selectmen Initiatives

Executive Session

Next Meetings: August 6, 2007 & August 27, 2007

Public Notice: Fall Town Meeting Petitions - Deadline on August 6, 2007

TOWN OF CHELMSFORD
BOARD OF SELECTMEN MINUTES
Monday, July 16, 2007
50 Billerica Rd, Chelmsford

Attending:
Samuel Chase, Selectman Chairman
Philip M. Eliopoulos, Selectman Vice Chair
Clare Jeannotte, Selectman Clerk
Patricia Wojtas, Selectman
William F. Dalton, Selectman
Paul Cohen, Town Manager

7:00pm
Chairman Chase called the meeting to order.

Public Service Announcements:

1. *4th of July Parade Update*-Lynn Marcella thanked the residents and business owners for their efforts in the parade. Ms. Marcella also thanked Mr. Cohen and Selectman Dalton for their work on the Parade Committee. Ms. Marcella requested that the committee be appointed for next year on June 30th instead on August 30th.
2. *Chelmsford Open Space Stewardship*- Philip Stanway, representing the initiative, stated that the Stewardship controlled over six areas of Town. Mr. Stanley commented that there are many volunteers who work towards land maintenance. Mr. Stanley described what the Stewardship has been doing with regard to events, and activities throughout Town. Selectman Jeannotte thanked the group for all of its efforts.

Open Session:

1. *Citizen Petition- Pond Street:* George Kacek, resident- 24 West View Ave. spoke against paving Pond Street. Mr. Kacek expressed concern that once the road is paved access would be granted to the beach. Mr. Kacek distributed a citizen petition signed by 96 residents against the paving of Pond Street labeled as "The Hart Pond Community". Mr. Kacek defined the Hart Pond Community as residents who abutt Hart Pond and/or live within 200feet of Hart Pond. Selectman Eliopoulos clarified to the public that paving Pond Street would not grant access to the beach area.
2. *Citizen Petition- Slow Growth Initiative:* Fred Marcks, resident 13 Dakota Drive distributed copies of Chelmsford's Slow Growth Petition. Mr. Marcks explained how this group separated itself from the Preserve Chelmsford Future Organization. Mr. Marcks commented on the group's support of the Town's Master Plan, low density projects, open space, development based affordable housing, and a moratorium on new 40B approvals by the Board unless it includes 75% affordable units. Selectman Eliopoulos asked by what authority the Board can make the 75% a provision. Mr. Marcks stated that early audits need to be

conducted. Mr. Cohen asked if he group was in favor of the Town selling off twenty acres, with the condition that fifteen of those acres would not be developed. Mr. Marcks asked how likely and often this would occur. Mr. Marcks stated that this group is grassroots oriented and would meet with any Board member. Chairman Chase stated that appointing a Board contact to the Chelmsford Slow Growth organization would be discussed.

Chairman Chase suspended Open Session.

Common Victualer License, Triangle Variety Store, 148 Groton Rd.:
Fakhorn N. Ghazi and his wife requested a Common Victualer License from the Board. Selectman Dalton expressed concern over Keno being sought in the past.

Motion: Selectman Eliopoulos made a motion to approve a CVL to FH&L Triangle Corp., DBA Triangle Variety Store, located at 148 Groton Rd., to Fakhara N. Ghazi; hours of operation Sunday-Saturday 6am to 10pm with no seating capacity on premises. Selectman Jeannotte seconded the motion. Motion carried.

Common Victualer License, Café Madrid, Alpine Lane:
Larry and Yazmin Fadjo of Alpine Lane requested a new license from the Board and noted continued efforts working with the Board of Health.

Motion: Selectman Eliopoulos made a motion to approve a CVL to Salud Santibanez and Yazmin Badias Fadjo, DBA Café Madrid located on Alpine Lane; hours of operation Sunday- Saturday 6am to 4pm. Subject to a food service permit and a final inspection from the Board of Health. Selectman Jeannotte seconded the motion. Motion carried.

Change of Manager, The Big Kahuna, Courthouse Lane:
David Keel representing the Big Kahuna's owner requested a change in manager and new alcohol license. Chairman Chase recognizing that it was a public hearing asked if there was anyone present to speak for or against the license. No one spoke.

Motion: Selectman Eliopoulos made a motion to close the public hearing. Selectman Jeannotte seconded the motion. Motion carried.

Motion: Selectman Eliopoulos made a motion to continue the approval of the change of manager and alcohol license until the August 6, 2007 at 7:30pm, regular Board meeting; in complying with the Board's Alcohol License policy requiring a two week waiting period. Selectman Jeannotte seconded the motion. Motion carried.

Change of Manager, American Legion:
Mr. Cohen noted that this agenda item was tabled and the Town was awaiting more information.

Verizon Pole Petition, School Street:

Chairman Chase asked for an update on the North Road poles. Mr. Cohen stated that work had begun and that it should take between 60-90 days to complete the work. Mr. Cohen noted that Verizon met its commitment to the Town.

Motion: Selectman Eliopoulos made a motion to approve the Verizon Pole Petition- School Street; pole petition number 40/6, plan dated April 24, 2007. Selectman Jeannotte seconded the motion. Motion carried.

Parker Roof Award:

Pat Maloney, Chair of the School Building Committee, stated that five bids were received and requested that the Board approve to bid for the Parker Roof to Feeley McAnespie Inc. for the amount of $874,000.

Motion: Selectman Eliopoulos made a motion to approve the bid for the Parker School roof replacement to Feeley McAnespie Inc., PO Box 280, Chelmsford, MA for the amount of $874,000. Selectman Jeannotte seconded the motion. Motion carried.

Open Session *Cont.*:

1. Marion Currier informed the Board that the Chelmsford Rotary Club will hold a blood drive on July 18th at St. Johns Church.
2. Laura Myers, resident Pine Hill Ave, read a statement indicating her outrage over the Town's decision to give a tow contract to a convicted sex offender. Selectman Eliopoulos stated that he had spoken to Ms. Myers and it was agreed that she would speak at the August 6th meeting.

LIP Proposal, 5 B Street Place:

Joseph Shanahan, representing the B Street Development LLC (40B), displayed a map to indicate where the lot is located in Town. Mr. Shanahan requested the Boards approval, and indicated that the project has been reviewed by the Town's Planning Department. Mr. Shanahan stated that the development is consistent with the neighborhood and proposed building a two building condominium. Mr. Shanahan added that the units would be three bedroom units with an affordable housing cost of $150,000. Mr. Shanahan noted that there is little opposition to the development and that he addressed all of Mr. Sheehan's concerns. Mr. Sheehan stated that the developer has complied with all of the Boards provisions. Mr. Shanahan further asked the Board to waive the $1000 fee due to the size of the proposed project. Chairman Chase asked for residents to speak if they had concerns.

Abutter

1. Doris Bir, resident-26 Glen Ave., supported the LIP and stated that it would add to the neighborhood.

Selectman Eliopoulos questioned the applicant on the waiving of the standard $1000 fee because of the affordable housing price. Selectman Jeannotte suggested holding off any vote until the next regular Board meeting. Chairman Chase agreed that holding off on a vote would be beneficial.

Motion: Selectman Eliopoulos made a motion to continue the LIP Proposal for 5 B Street Place to the August 6, 2007 regular meeting at 7:40pm. Selectman Jeannotte seconded the motion. Motion carried.

Chelmsford Telemedia Update:

Kelly Beatty requested that the Board vote to update the memo of understanding between Comcast and the Town. Mr. Beatty noted the recent awards given to Chelmsford Telemedia.

Motion: Selectman Eliopoulos made a motion to approve the memo of understanding between the Town of Chelmsford and the Chelmsford Telemedia Corporation dated July 16, 2007, with a term ending April 10, 2011. Selectman Jeannotte seconded the motion. Motion carried.

BOS Vote- Gift of Land:

Mr. Sheehan gave a brief history of the Robin Hill Road development and the commitment to give parcel 3 to the Town. Selectman Jeannotte asked once the land is granted whose responsibility is it to maintain the land. Mr. Sheehan stated that the land could be used as potential parking for the Bike Path once constructed.

Motion: Selectman Eliopoulos made a motion to accept the Gift of Land-Lot 3 Robin Hill Road, with 43,455 square feet as set forth in the deed; contingent on the payment of taxes on the property. Selectman Jeannotte seconded the motion. Motion carried.

BOS Vote-Restrictive Covenant, 1 Academy:

Mr. Sheehan noted that this vote was needed in accordance with the Town Meeting vote to change the zoning for 1 Academy. Mr. Sheehan stated that a vote is needed by the Board to convey the property.

Motion: Selectman Eliopoulos made a motion to grant a restrictive covenant for 1 Academy Street, dated May 24, 2007 signed by Charles N. Johnson. Selectman Jeannotte seconded the motion. Motion carried.

Recognizing that Mr. Sheehan has accepted a position with the City of Lowell, Mr. Cohen and Chairman Chase thanked Mr. Sheehan for all of his hard work and wished him good luck in the future.

Town Manager Appointments:

Mr. Cohen requested a vote for the appointment of a Republican to the Board of Registrars. The field of candidates are: Mathew Dulchinos, Maxine Vaitzses, Annelise Sertia.

Nomination: Selectman Eliopoulos nominated Mathew Dulchinos to the Board of Registrars Republican Representative. There were no other nominations.
Motion: Selectman Eliopoulos made a motion to approve the appointment of Matthew Dulchinos, 742 Wellman Ave., as Republican representative to the Board of Registrars. Selectman Jeannotte seconded the motion. Motion carried.

Approval of Meeting Minutes:

Motion: Selectman Eliopoulos made a motion to approve the May 3, 2007 Executive Session meeting minutes. Selectman Jeannotte seconded the motion. Motion carried.

Motion: Selectman Eliopoulos made a motion to approve the June 11, 2007 Work Session meeting minutes. Selectman Jeannotte seconded the motion. Motion carried.

Motion: Selectman Eliopoulos made a motion to approve the June 21, 2007 Regular meeting minutes. Selectman Jeannotte seconded the motion. Motion carried.

Motion: Selectman Eliopoulos made a motion to approve the June 25, 2007 Regular Meeting Amended- Indicate that if there is no date under an appointment then they were not reappointed. Page 11 Item 4; B St. not D Street. Page 10 last name for Michael and correction of Geoff Hall's name. Page 3, DPW Misc. Bids were withheld. Selectman Jeannotte seconded the motion. Motion carried.

Motion: Selectman Eliopoulos made a motion to approve the July 3, 2007 Work Session Amended- Page 2 strike word PAC. Selectman Jeannotte seconded the motion. Motion carried.

Motion: Selectman Eliopoulos made a motion to approve the July 12, 2007 Joint Meeting with FinCom- Amended Page 2, 7th paragraph correction on word stated not started. Selectman Jeannotte seconded the motion. Motion carried.

Town Manager Reports:

1. Mr. Cohen reported on the recent ranking in Money Magazine that listed Chelmsford as number 21 in their list of the best places to live. Mr. Cohen gave a brief history on how Money Magazine contacted the Town. Mr. Cohen stated that Selectman Wojtas and Pamela Armstrong were involved in showing Money representatives around the Town.
2. Mr. Cohen reported that the traffic light on Fletcher Street is now working. Mr. Cohen explained why the light was removed.
3. Mr. Cohen reported that a meeting took place with Jones Farm because of recent complaints by abutters concerning Jones Farm having food service. Mr. Cohen stated that abutters are claiming a violation of the Town by-laws.
4. Mr. Cohen reported that the deadline for Petition Articles for the Fall Town Meeting Warrant is August 6, 2007.
5. Mr. Cohen reported that bids were open for the rail trail.

Selectman Initiatives:

1. Chairman Chase reported that he crafted a mission statement for the Stipend Committee and appointment letters have been sent out to committee members. Chairman Chase asked each Board member to give feedback on the mission statement. Chairman Chase stated that he was asked to be at the first meeting.

2. Chairman Chase reported that he has taken the minutes from the Town Manager Performance review and distilled it into a form. Chairman Chase commented on a Board retreat that might be scheduled for sometime in August.

Selectman Referrals:

Selectman Dalton made the following referral(s).

1. Selectman Dalton reported that a site walk was conducted by the DPW/Fire Committee to look into where a facility could be located. Selectman Dalton stated that the committee is awaiting a report.
2. Selectman Dalton commented on the 4th of July parade and thanked Mr. and Mrs. Kecy for all of their support.
3. Selectman Dalton commented on the new housing complex rentals for the elderly by the Chelmsford Housing Authority.

Selectman Eliopoulos made the following referral(s):

1. Selectman Eliopoulos asked for an update on the Town Warrant Article regarding Bentley Lane and the petition that the land could be sold with the condition it stay as open space. Selectman Eliopoulos requested that the article be distributed to the residents prior to the fall Town Meeting.
2. Selectman Eliopoulos reported that there are no "No Parking" signs on Concord Road and this needs to be looked into.
3. Selectman Eliopoulos reported that the Chelmsford Alumni Association and the Board need to meet with state representatives concerning the use of the land.
4. Selectman Eliopoulos suggested seeking improvement monies from the state and identifying some projects in Town.

Selectman Jeannotte made the following referral(s):

1. Selectman Jeannotte informed the Board that the Affordable Housing Committee panel discussion is being organized. Speakers need to be set and a place to hold the meeting needs to be determined.
2. Selectman Jeannotte reported that the School Committee had its first public work session with Dr. Yeoman, the Town's new superintendent.

Selectman Wojtas made the following referral(s):

1. Selectman Wojtas asked for an update on the HAZMAT incident in Town. Mr. Cohen reported that due to an accident some hazardous materials containers spilled on to Route 3, and found their way into a brook that runs to Freemen Lake. Mr. Cohen stated that six of the seven containers were found. A response team was called in and it was determined that residents were not at risk from the missing container. Mr. Cohen noted the need for the Town to have a rapid means of notification.
2. Selectman Wojtas asked if Town Meeting Representatives could serve on the Personnel Board. Mr. Cohen replied that Town Meeting representatives could serve on the Personnel Board.

3. Selectman Wojtas asked about a call box at Freeman Lake. Mr. Cohen stated that lifeguards are on duty and vandalism is a reason why call boxes have not been in place in Town.

Chairman Chase made no referral(s).

Press Questions:
none

Motion: Selectman Eliopoulos made a motion to adjourn at **9:30pm** into Executive session, not to return to open session. Selectman Jeannotte seconded the motion. Motion unanimously carried.

Selectman Wojtas	Aye
Selectman Jeannotte	Aye
Selectman Eliopoulos	Aye
Selectman Dalton	Aye
Chairman Chase	Aye

Respectfully submitted,

Patrice Garvin

TOWN OF CHELMSFORD
BOARD OF SELECTMEN MINUTES
Monday, July 16, 2007
50 Billerica Rd, Chelmsford

Attending:
Samuel Chase, Selectman Chairman
Philip M. Eliopoulos, Selectman Vice Chair
Clare Jeannotte, Selectman Clerk
Patricia Wojtas, Selectman
William F. Dalton, Selectman
Paul Cohen, Town Manager

7:00pm
Chairman Chase called the meeting to order.

Public Service Announcements:

1. *4th of July Parade Update*-Lynn Marcella thanked the residents and business owners for their efforts in the parade. Ms. Marcella also thanked Mr. Cohen and Selectman Dalton for their work on the Parade Committee. Ms. Marcella requested that the committee be appointed for next year on June 30th instead on August 30th.
2. *Chelmsford Open Space Stewardship*- Philip Stanway, representing the initiative, stated that the Stewardship controlled over six areas of Town. Mr. Stanley commented that there are many volunteers who work towards land maintenance. Mr. Stanley described what the Stewardship has been doing with regard to events, and activities throughout Town. Selectman Jeannotte thanked the group for all of its efforts.

Open Session:

1. *Citizen Petition- Pond Street:* George Kacek, resident- 24 West View Ave. spoke against paving Pond Street. Mr. Kacek expressed concern that once the road is paved access would be granted to the beach. Mr. Kacek distributed a citizen petition signed by 96 residents against the paving of Pond Street labeled as "The Hart Pond Community". Mr. Kacek defined the Hart Pond Community as residents who abutt Hart Pond and/or live within 200feet of Hart Pond. Selectman Eliopoulos clarified to the public that paving Pond Street would not grant access to the beach area.
2. *Citizen Petition- Slow Growth Initiative:* Fred Marcks, resident 13 Dakota Drive distributed copies of Chelmsford's Slow Growth Petition. Mr. Marcks explained how this group separated itself from the Preserve Chelmsford Future Organization. Mr. Marcks commented on the group's support of the Town's Master Plan, low density projects, open space, development based affordable housing, and a moratorium on new 40B approvals by the Board unless it includes 75% affordable units. Selectman Eliopoulos asked by what authority the Board can make the 75% a provision. Mr. Marcks stated that early audits need to be

conducted. Mr. Cohen asked if he group was in favor of the Town selling off twenty acres, with the condition that fifteen of those acres would not be developed. Mr. Marcks asked how likely and often this would occur. Mr. Marcks stated that this group is grassroots oriented and would meet with any Board member. Chairman Chase stated that appointing a Board contact to the Chelmsford Slow Growth organization would be discussed.

Chairman Chase suspended Open Session.

Common Victualer License, Triangle Variety Store, 148 Groton Rd.:
Fakhorn N. Ghazi and his wife requested a Common Victualer License from the Board. Selectman Dalton expressed concern over Keno being sought in the past.

Motion: Selectman Eliopoulos made a motion to approve a CVL to FH&L Triangle Corp., DBA Triangle Variety Store, located at 148 Groton Rd., to Fakhara N. Ghazi; hours of operation Sunday-Saturday 6am to 10pm with no seating capacity on premises. Selectman Jeannotte seconded the motion. Motion carried.

Common Victualer License, Café Madrid, Alpine Lane:
Larry and Yazmin Fadjo of Alpine Lane requested a new license from the Board and noted continued efforts working with the Board of Health.

Motion: Selectman Eliopoulos made a motion to approve a CVL to Salud Santibanez and Yazmin Badias Fadjo, DBA Café Madrid located on Alpine Lane; hours of operation Sunday- Saturday 6am to 4pm. Subject to a food service permit and a final inspection from the Board of Health. Selectman Jeannotte seconded the motion. Motion carried.

Change of Manager, The Big Kahuna, Courthouse Lane:
David Keel representing the Big Kahuna's owner requested a change in manager and new alcohol license. Chairman Chase recognizing that it was a public hearing asked if there was anyone present to speak for or against the license. No one spoke.

Motion: Selectman Eliopoulos made a motion to close the public hearing. Selectman Jeannotte seconded the motion. Motion carried.

Motion: Selectman Eliopoulos made a motion to continue the approval of the change of manager and alcohol license until the August 6, 2007 at 7:30pm, regular Board meeting; in complying with the Board's Alcohol License policy requiring a two week waiting period. Selectman Jeannotte seconded the motion. Motion carried.

Change of Manager, American Legion:
Mr. Cohen noted that this agenda item was tabled and the Town was awaiting more information.

Verizon Pole Petition, School Street:

Chairman Chase asked for an update on the North Road poles. Mr. Cohen stated that work had begun and that it should take between 60-90 days to complete the work. Mr. Cohen noted that Verizon met its commitment to the Town.

Motion: Selectman Eliopoulos made a motion to approve the Verizon Pole Petition- School Street; pole petition number 40/6, plan dated April 24, 2007. Selectman Jeannotte seconded the motion. Motion carried.

Parker Roof Award:

Pat Maloney, Chair of the School Building Committee, stated that five bids were received and requested that the Board approve to bid for the Parker Roof to Feeley McAnespie Inc. for the amount of $874,000.

Motion: Selectman Eliopoulos made a motion to approve the bid for the Parker School roof replacement to Feeley McAnespie Inc., PO Box 280, Chelmsford, MA for the amount of $874,000. Selectman Jeannotte seconded the motion. Motion carried.

Open Session *Cont.*:

1. Marion Currier informed the Board that the Chelmsford Rotary Club will hold a blood drive on July 18th at St. Johns Church.
2. Laura Myers, resident Pine Hill Ave, read a statement indicating her outrage over the Town's decision to give a tow contract to a convicted sex offender. Selectman Eliopoulos stated that he had spoken to Ms. Myers and it was agreed that she would speak at the August 6th meeting.

LIP Proposal, 5 B Street Place:

Joseph Shanahan, representing the B Street Development LLC (40B), displayed a map to indicate where the lot is located in Town. Mr. Shanahan requested the Boards approval, and indicated that the project has been reviewed by the Town's Planning Department. Mr. Shanahan stated that the development is consistent with the neighborhood and proposed building a two building condominium. Mr. Shanahan added that the units would be three bedroom units with an affordable housing cost of $150,000. Mr. Shanahan noted that there is little opposition to the development and that he addressed all of Mr. Sheehan's concerns. Mr. Sheehan stated that the developer has complied with all of the Boards provisions. Mr. Shanahan further asked the Board to waive the $1000 fee due to the size of the proposed project. Chairman Chase asked for residents to speak if they had concerns.

Abutter

1. Doris Bir, resident-26 Glen Ave., supported the LIP and stated that it would add to the neighborhood.

Selectman Eliopoulos questioned the applicant on the waiving of the standard $1000 fee because of the affordable housing price. Selectman Jeannotte suggested holding off any vote until the next regular Board meeting. Chairman Chase agreed that holding off on a vote would be beneficial.

Motion: Selectman Eliopoulos made a motion to continue the LIP Proposal for 5 B Street Place to the August 6, 2007 regular meeting at 7:40pm. Selectman Jeannotte seconded the motion. Motion carried.

Chelmsford Telemedia Update:

Kelly Beatty requested that the Board vote to update the memo of understanding between Comcast and the Town. Mr. Beatty noted the recent awards given to Chelmsford Telemedia.

Motion: Selectman Eliopoulos made a motion to approve the memo of understanding between the Town of Chelmsford and the Chelmsford Telemedia Corporation dated July 16, 2007, with a term ending April 10, 2011. Selectman Jeannotte seconded the motion. Motion carried.

BOS Vote- Gift of Land:

Mr. Sheehan gave a brief history of the Robin Hill Road development and the commitment to give parcel 3 to the Town. Selectman Jeannotte asked once the land is granted whose responsibility is it to maintain the land. Mr. Sheehan stated that the land could be used as potential parking for the Bike Path once constructed.

Motion: Selectman Eliopoulos made a motion to accept the Gift of Land-Lot 3 Robin Hill Road, with 43,455 square feet as set forth in the deed; contingent on the payment of taxes on the property. Selectman Jeannotte seconded the motion. Motion carried.

BOS Vote-Restrictive Covenant, 1 Academy:

Mr. Sheehan noted that this vote was needed in accordance with the Town Meeting vote to change the zoning for 1 Academy. Mr. Sheehan stated that a vote is needed by the Board to convey the property.

Motion: Selectman Eliopoulos made a motion to grant a restrictive covenant for 1 Academy Street, dated May 24, 2007 signed by Charles N. Johnson. Selectman Jeannotte seconded the motion. Motion carried.

Recognizing that Mr. Sheehan has accepted a position with the City of Lowell, Mr. Cohen and Chairman Chase thanked Mr. Sheehan for all of his hard work and wished him good luck in the future.

Town Manager Appointments:

Mr. Cohen requested a vote for the appointment of a Republican to the Board of Registrars. The field of candidates are: Mathew Dulchinos, Maxine Vaitzses, Annelise Sertia.

Nomination: Selectman Eliopoulos nominated Mathew Dulchinos to the Board of Registrars Republican Representative. There were no other nominations.
Motion: Selectman Eliopoulos made a motion to approve the appointment of Matthew Dulchinos, 742 Wellman Ave., as Republican representative to the Board of Registrars. Selectman Jeannotte seconded the motion. Motion carried.

Approval of Meeting Minutes:

Motion: Selectman Eliopoulos made a motion to approve the May 3, 2007 Executive Session meeting minutes. Selectman Jeannotte seconded the motion. Motion carried.

Motion: Selectman Eliopoulos made a motion to approve the June 11, 2007 Work Session meeting minutes. Selectman Jeannotte seconded the motion. Motion carried.

Motion: Selectman Eliopoulos made a motion to approve the June 21, 2007 Regular meeting minutes. Selectman Jeannotte seconded the motion. Motion carried.

Motion: Selectman Eliopoulos made a motion to approve the June 25, 2007 Regular Meeting Amended- Indicate that if there is no date under an appointment then they were not reappointed. Page 11 Item 4; B St. not D Street. Page 10 last name for Michael and correction of Geoff Hall's name. Page 3, DPW Misc. Bids were withheld. Selectman Jeannotte seconded the motion. Motion carried.

Motion: Selectman Eliopoulos made a motion to approve the July 3, 2007 Work Session Amended- Page 2 strike word PAC. Selectman Jeannotte seconded the motion. Motion carried.

Motion: Selectman Eliopoulos made a motion to approve the July 12, 2007 Joint Meeting with FinCom- Amended Page 2, 7th paragraph correction on word stated not started. Selectman Jeannotte seconded the motion. Motion carried.

Town Manager Reports:

1. Mr. Cohen reported on the recent ranking in Money Magazine that listed Chelmsford as number 21 in their list of the best places to live. Mr. Cohen gave a brief history on how Money Magazine contacted the Town. Mr. Cohen stated that Selectman Wojtas and Pamela Armstrong were involved in showing Money representatives around the Town.
2. Mr. Cohen reported that the traffic light on Fletcher Street is now working. Mr. Cohen explained why the light was removed.
3. Mr. Cohen reported that a meeting took place with Jones Farm because of recent complaints by abutters concerning Jones Farm having food service. Mr. Cohen stated that abutters are claiming a violation of the Town by-laws.
4. Mr. Cohen reported that the deadline for Petition Articles for the Fall Town Meeting Warrant is August 6, 2007.
5. Mr. Cohen reported that bids were open for the rail trail.

Selectman Initiatives:

1. Chairman Chase reported that he crafted a mission statement for the Stipend Committee and appointment letters have been sent out to committee members. Chairman Chase asked each Board member to give feedback on the mission statement. Chairman Chase stated that he was asked to be at the first meeting.

2. Chairman Chase reported that he has taken the minutes from the Town Manager Performance review and distilled it into a form. Chairman Chase commented on a Board retreat that might be scheduled for sometime in August.

Selectman Referrals:

Selectman Dalton made the following referral(s).

1. Selectman Dalton reported that a site walk was conducted by the DPW/Fire Committee to look into where a facility could be located. Selectman Dalton stated that the committee is awaiting a report.
2. Selectman Dalton commented on the 4th of July parade and thanked Mr. and Mrs. Kecy for all of their support.
3. Selectman Dalton commented on the new housing complex rentals for the elderly by the Chelmsford Housing Authority.

Selectman Eliopoulos made the following referral(s):

1. Selectman Eliopoulos asked for an update on the Town Warrant Article regarding Bentley Lane and the petition that the land could be sold with the condition it stay as open space. Selectman Eliopoulos requested that the article be distributed to the residents prior to the fall Town Meeting.
2. Selectman Eliopoulos reported that there are no "No Parking" signs on Concord Road and this needs to be looked into.
3. Selectman Eliopoulos reported that the Chelmsford Alumni Association and the Board need to meet with state representatives concerning the use of the land.
4. Selectman Eliopoulos suggested seeking improvement monies from the state and identifying some projects in Town.

Selectman Jeannotte made the following referral(s):

1. Selectman Jeannotte informed the Board that the Affordable Housing Committee panel discussion is being organized. Speakers need to be set and a place to hold the meeting needs to be determined.
2. Selectman Jeannotte reported that the School Committee had its first public work session with Dr. Yeoman, the Town's new superintendent.

Selectman Wojtas made the following referral(s):

1. Selectman Wojtas asked for an update on the HAZMAT incident in Town. Mr. Cohen reported that due to an accident some hazardous materials containers spilled on to Route 3, and found their way into a brook that runs to Freemen Lake. Mr. Cohen stated that six of the seven containers were found. A response team was called in and it was determined that residents were not at risk from the missing container. Mr. Cohen noted the need for the Town to have a rapid means of notification.
2. Selectman Wojtas asked if Town Meeting Representatives could serve on the Personnel Board. Mr. Cohen replied that Town Meeting representatives could serve on the Personnel Board.

3. Selectman Wojtas asked about a call box at Freeman Lake. Mr. Cohen stated that lifeguards are on duty and vandalism is a reason why call boxes have not been in place in Town.

Chairman Chase made no referral(s).

Press Questions:
none

Motion: Selectman Eliopoulos made a motion to adjourn at **9:30pm** into Executive session, not to return to open session. Selectman Jeannotte seconded the motion. Motion unanimously carried.

Selectman Wojtas	Aye
Selectman Jeannotte	Aye
Selectman Eliopoulos	Aye
Selectman Dalton	Aye
Chairman Chase	Aye

Respectfully submitted,

Patrice Garvin

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA
August 6, 2007

7:00 p.m.	**Call to Order**	
	• Approval of minutes July 16, 2007 BOS Meeting	*Tab1*
	Public Service Announcements	*Tab 2*
	• Alfred H. Coburn Proclamation	
	Open Session	
	• 7: 05 Laurie Meyers	
	Unscheduled Business	
	• BOS appointments to Personnel Board	*Tab 3*
	Kerry Speidel, Finance Director	
	Darlene Lussier, Town Accountant	
	• FY 2007 Financial Report	*Tab 4*
	Scheduled Business	
7:30 p.m.	The Big Kahuna – Change of Manager, Director, Stockholder	*Tab 5*
7:35 p.m.	American Legion – Change of Manager	*Tab 6*
7:40 p.m.	LIP Proposal - 5 B Street	*Tab 7*
7:50 p.m.	**Public Hearing** - Route 40 Equipment Sales – Sale of Heavy Equipment - Doris Drive	*Tab 8*
7:55 p.m	**Fresh Chow -Change of Ownership**	*Tab 9*
8:00 p.m.	**One Day Beer & Wine License – Sts. Vartanantz 8/12/07**	*Tab 10*
8:05 p.m.	**Pole Petition- Main Street**	*Tab 11*
8:10 p.m.	**Town Manager Reports**	*Tab 12*
	• Fall Town Meeting	
	• FY 08 Senior Tax Rebate Program	
	•	

Town Manager Bid Awards/Contracts

- Parker School *Tab 13*

Painting & Flooring

- DPW *Tab 14*

Bid Item #4 & Bid Item #16

- Fire Department

New Fire Apparatus Pumper for Engine #5
Pickup Truck *Tab 15*

Town Manager Annual Appointments

- Parade Committee 8/1/07 – 7/31/08 *Tab 16*
- School Building Committee correction *Tab 17*

Selectman Referrals

Executive Session

Next Meeting: August 27, 2007

*****Meeting is Televised******

TOWN OF CHELMSFORD
BOARD OF SELECTMEN MINUTES
Monday, August 6, 2007
50 Billerica Rd, Chelmsford

Attending:
Samuel Chase, Selectman Chairman
Philip M. Eliopoulos, Selectman Vice Chair
Clare Jeannotte, Selectman Clerk
Patricia Wojtas, Selectman
William F. Dalton, Selectman
Paul Cohen, Town Manager

7:00pm
Chairman Chase called the meeting to order.

Approval of Minutes:
Motion: Selectman Eliopoulos made a motion to approve the July 16, 2007 regular meeting minutes. Selectman Jeannotte seconded the motion.

a. Amended: Appointing date of 4th- Parade Committee correction to June 30th
b. Page 3, Laurie Meyers did not ask for the BOS to rescind the vote for the tow contract.
c. LIP-5 B Street indicates the abutter supported the LIP; Add the word supported.
d. Page 7, Motion to go into Executive Session to insert "Not to return to open session".
e. Under Slow Growth, address of Fred Marcks needed to be corrected to Dakota Drive.
f. Page 3, Selectman Eliopoulos did not suggest waiving the $1,000 filing fee but asked if they were requesting a waiver.
g. Page 1, Public Works name correction to Philip Stanway.

Motion carried.

Public Service Announcements:

1. *Alfred H. Coburn Proclamation*- Selectman Eliopoulos read into the record a proclamation recognizing Alfred H. Coburn 90th Birthday and all of his work for the Town of Chelmsford. Mr. Coburn thanked the Board and Town Manager for their recognition and gave a brief history about his work for the Town. Mr. Coburn also commented on his latest project in Lowell, Coburn Park. Mr. Coburn presented a prepared folder about Coburn Park and welcomed the Board to review it and asked if it could be put in the Library.

BOS Appointment to Personnel Board:

Mr. Cohen asked that this item be deferred, due to an ending date of applications being incorrect on line. The new date to receive forms would be extended to August 10th and the Board would appoint on August 27th regular meeting.

Open Session:

1. Mike Donahue, resident-5 Belleview Ave spoke concerning the license for the Big Kahuna. Mr. Donahue commented on the noise disturbance from the establishment. Mr. Donahue requested help from the Board to quiet the noise. Police have responded to the complaints.

2. Tom Christiano, resident-6 Drew Circle and Precinct 9 Town Meeting representative requested that the Board allow for thirty minutes of open session at each meeting. Mr. Christiano stated that he has received calls and e-mails concerning the length of open session. Mr. Christiano read a prepared statement and noted that at the last Board meeting there was not enough time allotted for open session. Selectman Dalton stated that it was the Chairman's prerogative and he was the one who set the meeting. Selectman Eliopoulos stated that the Board has always allowed for open session and did not see any problem. Selectman Wojtas commented that unscheduled business had no time allotment; therefore it could be done whenever there was time.

3. Laurie Meyers, resident-7 Pinehill Ave read a prepared statement to the Board giving a history of the tow bid and her concern relative to the Town awarding a bid to an individual who was convicted of a sex crime. Ms. Meyers noted other Towns' towing contracts and was concerned with the language the Town of Chelmsford had adopted concerning convicted felons. Ms. Meyers asked why the language in the Request for Proposal (RFP) was included. Mr. Cohen stated that the Town had no previous language for the towing contract and looked at several towns before he and Chief Murphy finalized the RFP. Mr. Cohen went through each Town he researched and where certain language came from and felt that the language we used was more restrictive than what other communities had done. Mr. Cohen stated that all employees go through a CORI Check and that this exercise was not done behind closed doors as implied by Ms. Meyers. Mr. Cohen also stated that he was unaware that Christopher Ferreira had a criminal record while the RFP was being drafted.

   Ms. Meyers asked that since the language is a problem what can be done to correct it. Selectman Eliopoulos suggested meeting with the Chief and Town Manager to make the language stronger. Chief Murphy stated that the RFP language in his opinion is sufficient and was arrived at after a proper amount of due diligence and he stands by his recommendation. Selectman Jeannotte and Selectman Wojtas both commented on making the process better.

4. James Dergay, resident- 42 Locust Rd. commented on the noise from his neighbor's stereo. Mr. Dergay stated that the police have been notified but the noise continues. Selectman Eliopoulos suggested looking at the Noise by-Law

and what other communities have done. Chief Murphy noted that he was aware of the problem and would keep the Board updated.

The Big Kahuna-Change of Manager, Director, Stockholder:

Mr. Cohen stated that the CORI check had come back OK. Selectman Dalton asked to hold off on the license due to the concerns brought up.

Motion: Selectman Eliopoulos made a motion to continue the public hearing for the Big Kahuna until the August 27, 2007 regular meeting; to give time for the police to investigate, to notify the applicant, investigate whether or not a lifeguard is needed, noise violations, number of patrons on premises and signing on Parkhurst Road. Selectman Jeannotte seconded the motion. Motion carried.

American Legion-Change of Manager:

Chairman Chase asked if there was anyone present to speak for or against the license.

Motion: Selectman Eliopoulos made a motion to close the public hearing. Selectman Jeannotte seconded the motion. Motion carried.

Motion: Selectman Eliopoulos made a motion to continue the public hearing until the August 27, 2007 regular meeting; due to the two week BOS policy regarding a change in manager. Selectman Jeannotte seconded the motion. Motion carried.

LIP Proposal-5 B Street:

Joseph Shannahan, representing the developer, explained why he felt the $1,000 fee should be waived. Mr. Shannhan stated that the due to the decrease in the affordable unit the fee should be waived. Selectman Eliopoulos noted the staff time to review LIP's and that he was not comfortable waiving the entire fee and suggested reducing it to $500.

Motion: Selectman Eliopoulos made a motion to approve the LIP Proposal- 5 B Street in line with the financial terms of the affordable unit and a decreased fee from $1,000 to $500. Selectman Jeannotte seconded the motion. Motion carried.

Route 40 Equipment Sales-Sale of heavy Equipment, Doris Drive:

Douglas Hausler, representing Mr. and Mrs. Loiselle, stated that he had support from abutters and there would be no more than 15 units on the lot. There was some confusion as to where the lot was located on the map. The Board requested a clear map at the next meeting. Chairman Chase asked if there was anyone to speak for or against.

1. Brian Reynolds, resident-263 Groton Rd stated that he is the prime abutter to the business. Mr. Reynolds was concerned with fumes from idling trucks and would like to see where activity would be centralized on the lot. Mr. Hausler noted that the activity proposed is allowable under IA zoning laws.

Mr. Hausler requested that the Board defer this to the next Board meeting to allow time to clear up placement issues.

Motion: Selectman Eliopoulos made a motion to continue the public hearing for the Route 40 Equipment Sales-Sale of Heavy Equipment on Doris Drive, until the August 27, 2007 regular meeting. Selectman Eliopoulos requested a better

description of the site with a more detailed map of the location. Selectman Jeannotte seconded the motion. Motion carried.

One Day Beer & Wine License- Sts. Vartanantz:

Rosette Jacobson, requested a One Day Liquor license for August 12th for St. Vartanantz Church.

Motion: Selectman Eliopoulos made a motion to approve the 1 Day Beer and Wine License to St. Vartanantz located on 180 Old Westford Rd., for Sunday August 12, 2007; from noon to 6pm. Selectman Jeannotte seconded the motion.

Pole Petition-Main Street:

David Agnew of National Grid requested placing conduit down Main Street for new homes on Amelia Drive. Chairman Chase asked if there was anyone to speak for or against the petition.

Motion: Selectman Eliopoulos made a motion to close the public hearing. Selectman Jeannotte seconded the motion. Motion carried.

Motion: Selectman Eliopoulos made a motion to approve the pole petition #243309; to place 100 feet of conduit on Main Street to Amelia Drive. Selectman Jeannotte seconded the motion. Motion carried.

FY 2007 Financial Report:

Kerry Speidel summarized the last fiscal year to the Board and indicated that there should be more in free cash than projected. Ms. Speidel reported on revenue and finances and noted all liabilities were paid. Ms. Speidel stated that the Town had shortfalls relative to forecasts on real estate taxes, state aid and local receipts. Ms. Speidel reported that due to the recycling by-law solid waste costs were down. Selectman Dalton questioned the police expense on building maintenance. Ms. Speidel stated she would look into the line item. Ms. Lussier, the Town Accountant, stated that auditors were in and spent a week in Town and that they would be back in October.

Town Manager Reports:

1. Mr. Cohen reported that the deadline for citizen petitions for fall Town Meeting had gone by and five had been submitted. Mr. Cohen reported that the petitions were the following:
    a. Revision of Trash by-law- Mr. Cohen noted that this petition was being shown to Town Counsel because some of the proposed language is confusing.
    b. Amended Zoning Petition for 44, 68, 70, 76 and 80 Billerica Road from RC to RC zoning.
    c. Amended Zoning Petition for 280-284 Chelmsford Street from RB to RC zoning.
    d. Petition Article requiring that the BOS have two meetings each year each dedicated to addressing specific issues.
    e. Petition Article requiring that the Planning Board, Conservation Commission and ZBA hold an annual joint meeting.

2. Senior Center- Mr. Cohen requested a motion concerning the FY08 Senior Tax Abatement Program.
   Motion: Selectman Eliopoulos made a motion to approve the increase hourly rate for the senior tax rebate program to $7.50 to meet the minimum wage and to increase the maximum abatement that taxpayers earn per fiscal year to $750. Selectman Jeannotte seconded the motion. Motion carried.

3. Mr. Cohen reported that the state budget had been approved.
4. Mr. Cohen reported that commercial property owners' compliance with the requirement that they submit annual income/expense data to the Assessors is only 26%. He reported that the Board of Assessors will assess the maximum $50 penalty on all commercial entities that did not comply with the data submission requirement. Mr. Cohen noted that the penalty would be on the tax bills.
5. Mr. Cohen reported on the special primary on Tuesday September 5th and requested a vote to approve the warrant.
   Motion: Selectman Eliopoulos made a motion to approve the warrant for the September 4, 2007 special primary election to congress for the 5th district. Selectman Jeannotte seconded the motion. Motion carried.
6. Mr. Cohen reported that the deadline for the School Building reimbursement is August 15th and that the state has received an overwhelming response from districts. Mr. Cohen stated that the Town is seeking funding for the entire School Building project.
7. Mr. Cohen reported on the Chapter 67 Municipal Relief Group Insurance Commission and the Town potentially being a part of the state pool. The deadline for application is October 1 but the Town would be unable to join at this time.

Town Manager Bids/Awards:

1. Parker School-Painting and Flooring-

Motion: Selectman Eliopoulos made a motion to approve the bid for Painting and Flooring at the Parker School to Bouchard Paint Inc., 130 Warren Hill Rd, Derry NH for $102,325. Selectman Jeannotte seconded the motion. Motion carried.

2. Parker School-VCT Boards and Vinyl Floor-

Motion: Selectman Eliopoulos made a motion to approve the bid for the Installation of VCT and Vinyl flooring at the Parker School to Capital Carpet and Flooring Specialist Inc. for $47,966- Add Alternate #1-$5,527, Add Alternate #2-$2,411 and Add Alternate #3-$2,434. Selectman Jeannotte seconded the motion. Motion carried.

3. DPW Bid #4 and Bid Item #16-

Motion: Selectman Eliopoulos made a motion to approve the DPW bid items #4 for Crack Sealing to Crack Sealing Inc for $5.21 per gallon. Selectman Jeannotte seconded the motion. Motion carried.

Motion: Selectman Eliopoulos made a motion to approve the DPW bid item #16 Vertical Granite Curbing to Allied Paving Inc for $20.50 per linear foot.

4. *Fire Department New Fire Apparatus Pumper for Engine #5-* Chief Parrow stated that certain specifications are required and that it takes a lot of time to meet them.

Motion: Selectman Eliopoulos made a motion to approve the Fire Department's new fire apparatus pumper for Engine #5 to Smeal Fire Apparatus Company, 610 West Fourth Street Snyder, NE for $286,387. Selectman Jeannotte seconded the motion. Motion carried.

Motion: Selectman Eliopoulos made a motion to approve the new Ford service Truck approved at the April Town Meeting to M-H-Q of Marlborough, MA from the procurement contract #06-06-08 for $34,096. Selectman Jeannotte seconded the motion. Motion carried.

Town Manager Appointments:

1. *Parade Committee (8/1/07- 7/31/08)-* Mr. Cohen requested that the following individuals be reappointed to the parade committee: James Cullen, James Good, Henry Hamelin, Jeffery Hardy, Douglas Hausler, Kathy Kelley, Lynn Marcella, Brian Ready and Rick Romano. Selectman Eliopoulos asked if Jim Gifford could be included as an appointment. Mr. Cohen stated that he would go back to the parade committee and requested that the Board put off appointment until the August 27, 2007, regular Board meeting.
2. *School Building Committee Correction-* Mr. Cohen stated that **an** error occurred at the June 25th meeting and that Evelyn Thoren should have been listed as the School Building Committee member.

Motion: Selectman Eliopoulos made a motion to approve the correction of Evelyn Thoren to the School Building Committee with a term ending June 30, 2008. Selectman Jeannotte seconded the motion. Motion carried.

Fresh Chow- Change of Ownership:

Motion: Selectman Eliopoulos made a motion to approve the CVL to Fresh Chow to Haifu Li and JuFu Li 14 Chelmsford Street; hours of operation weekly 6am-10pm. Selectman Jeannotte seconded the motion. Motion carried.

Selectman Referrals:

Selectman Wojtas made the following referral(s):

1. Selectman Wojtas requested that a report on the utility poles in the center be given at the Fall Town Meeting.
2. Selectman Wojtas commented on a Sheriff's Department Youth Safety graduation she attended and encouraged parents and students to attend on August 11th.

Selectman Jeannotte made the following referral(s):

1. Selectman Jeannotte stated that she has received calls concerning the speed of traffic in front of the library coming from Bedford on Route 4 into the center.
2. Selectman Jeannotte commented on the recent citizen petitions that have been turned into Town and thought the Board should clarify what can and can't be done by the Board. Chairman Chase suggested a protocol for petitions and how they should be responded to. **Action Item:** Selectman Jeannotte will make

suggestions at the next BOS meeting concerning the response to Citizen Petitions given to the Board.

3. Selectman Jeannotte commented on the audio quality of the meetings and if it could be looked into.

Selectman Eliopoulos made the following referral(s):

1. Selectman Eliopoulos suggested looking into the noise bylaw and to look at other community noise by-laws.
2. Selectman Eliopoulos asked the status on the no parking signs on Concord Road.
3. Selectman Eliopoulos requested to see a potential Ambulance Service shown as an Enterprise fund at the August 27, 2007 regular meeting.

Selectman Dalton made the following referral(s):

1. Selectman Dalton requested an update on the Highland Ave Bridge closing and the recent backup of side streets it is causing.
2. Selectman Dalton reported that the DPW/Fire Committee was meeting and are awaiting a report from the consultants. Discussion ensued concerning placement of the Center Fire Station.

Chairman Chase made the following referral(s):

1. Chairman Chase reported that the Stipend Committee was meeting and October 8th is their target completion date.
2. Chairman Chase stated that Leadership Team Meetings were continuing and asked the Board to attend on a rotating basis.
3. Chairman Chase reported that Dr. Yeoman, our new School Superintendent, has asked to meet individually with Board members. The School Administration office will contact each member to determine a mutually convenient time.
4. Chairman Chase expressed his displeasure with the town's commercial property owner's performance in complying with the annual income/expense data submission requirement, and urged the Chelmsford Business Association to lobby the business community to step up compliance. Chairman Chase wanted to assure residents that non-submission of the forms does not lower a commercial property owner's assessment or amount of tax assessed.

Chairman Chase recognized Boman Evans. Mr. Evans stated that he did not want Pond Street paved and asked to be kept informed about what is going on with the issue.

Press Questions:

Andy Metzger of the Chelmsford Independent, requested copies of the Town meeting articles and petitions for fall Town Meeting.

Motion: Selectman Eliopoulos made a motion to adjourn at **10:30pm.** Selectman Jeannotte seconded the motion. Motion unanimously carried.

Selectman Wojtas	Aye
Selectman Jeannotte	Aye
Selectman Eliopoulos	Aye

Selectman Dalton	Aye
Chairman Chase	Aye

Respectfully submitted,

Patrice Garvin

Approved 8/27/07 Posted 8/28/07

TOWN OF CHELMSFORD
BOARD OF SELECTMEN MINUTES
Monday, August 6, 2007
50 Billerica Rd, Chelmsford

Attending:
Samuel Chase, Selectman Chairman
Philip M. Eliopoulos, Selectman Vice Chair
Clare Jeannotte, Selectman Clerk
Patricia Wojtas, Selectman
William F. Dalton, Selectman
Paul Cohen, Town Manager

7:00pm
Chairman Chase called the meeting to order.

Approval of Minutes:
Motion: Selectman Eliopoulos made a motion to approve the July 16, 2007 regular meeting minutes. Selectman Jeannotte seconded the motion.

a. Amended: Appointing date of 4th- Parade Committee correction to June 30th
b. Page 3, Laurie Meyers did not ask for the BOS to rescind the vote for the tow contract.
c. LIP-5 B Street indicates the abutter supported the LIP; Add the word supported.
d. Page 7, Motion to go into Executive Session to insert "Not to return to open session".
e. Under Slow Growth, address of Fred Marcks needed to be corrected to Dakota Drive.
f. Page 3, Selectman Eliopoulos did not suggest waiving the $1,000 filing fee but asked if they were requesting a waiver.
g. Page 1, Public Works name correction to Philip Stanway.

Motion carried.

Public Service Announcements:

1. *Alfred H. Coburn Proclamation*- Selectman Eliopoulos read into the record a proclamation recognizing Alfred H. Coburn 90th Birthday and all of his work for the Town of Chelmsford. Mr. Coburn thanked the Board and Town Manager for their recognition and gave a brief history about his work for the Town. Mr. Coburn also commented on his latest project in Lowell, Coburn Park. Mr. Coburn presented a prepared folder about Coburn Park and welcomed the Board to review it and asked if it could be put in the Library.

BOS Appointment to Personnel Board:

Mr. Cohen asked that this item be deferred, due to an ending date of applications being incorrect on line. The new date to receive forms would be extended to August 10th and the Board would appoint on August 27th regular meeting.

Open Session:

1. Mike Donahue, resident-5 Belleview Ave spoke concerning the license for the Big Kahuna. Mr. Donahue commented on the noise disturbance from the establishment. Mr. Donahue requested help from the Board to quiet the noise. Police have responded to the complaints.

2. Tom Christiano, resident-6 Drew Circle and Precinct 9 Town Meeting representative requested that the Board allow for thirty minutes of open session at each meeting. Mr. Christiano stated that he has received calls and e-mails concerning the length of open session. Mr. Christiano read a prepared statement and noted that at the last Board meeting there was not enough time allotted for open session. Selectman Dalton stated that it was the Chairman's prerogative and he was the one who set the meeting. Selectman Eliopoulos stated that the Board has always allowed for open session and did not see any problem. Selectman Wojtas commented that unscheduled business had no time allotment; therefore it could be done whenever there was time.

3. Laurie Meyers, resident-7 Pinehill Ave read a prepared statement to the Board giving a history of the tow bid and her concern relative to the Town awarding a bid to an individual who was convicted of a sex crime. Ms. Meyers noted other Towns' towing contracts and was concerned with the language the Town of Chelmsford had adopted concerning convicted felons. Ms. Meyers asked why the language in the Request for Proposal (RFP) was included. Mr. Cohen stated that the Town had no previous language for the towing contract and looked at several towns before he and Chief Murphy finalized the RFP. Mr. Cohen went through each Town he researched and where certain language came from and felt that the language we used was more restrictive than what other communities had done. Mr. Cohen stated that all employees go through a CORI Check and that this exercise was not done behind closed doors as implied by Ms. Meyers. Mr. Cohen also stated that he was unaware that Christopher Ferreira had a criminal record while the RFP was being drafted.

   Ms. Meyers asked that since the language is a problem what can be done to correct it. Selectman Eliopoulos suggested meeting with the Chief and Town Manager to make the language stronger. Chief Murphy stated that the RFP language in his opinion is sufficient and was arrived at after a proper amount of due diligence and he stands by his recommendation. Selectman Jeannotte and Selectman Wojtas both commented on making the process better.

4. James Dergay, resident- 42 Locust Rd. commented on the noise from his neighbor's stereo. Mr. Dergay stated that the police have been notified but the noise continues. Selectman Eliopoulos suggested looking at the Noise by-Law

and what other communities have done. Chief Murphy noted that he was aware of the problem and would keep the Board updated.

The Big Kahuna-Change of Manager, Director, Stockholder:

Mr. Cohen stated that the CORI check had come back OK. Selectman Dalton asked to hold off on the license due to the concerns brought up.

Motion: Selectman Eliopoulos made a motion to continue the public hearing for the Big Kahuna until the August 27, 2007 regular meeting; to give time for the police to investigate, to notify the applicant, investigate whether or not a lifeguard is needed, noise violations, number of patrons on premises and signing on Parkhurst Road. Selectman Jeannotte seconded the motion. Motion carried.

American Legion-Change of Manager:

Chairman Chase asked if there was anyone present to speak for or against the license.

Motion: Selectman Eliopoulos made a motion to close the public hearing. Selectman Jeannotte seconded the motion. Motion carried.

Motion: Selectman Eliopoulos made a motion to continue the public hearing until the August 27, 2007 regular meeting; due to the two week BOS policy regarding a change in manager. Selectman Jeannotte seconded the motion. Motion carried.

LIP Proposal-5 B Street:

Joseph Shannahan, representing the developer, explained why he felt the $1,000 fee should be waived. Mr. Shannhan stated that the due to the decrease in the affordable unit the fee should be waived. Selectman Eliopoulos noted the staff time to review LIP's and that he was not comfortable waiving the entire fee and suggested reducing it to $500.

Motion: Selectman Eliopoulos made a motion to approve the LIP Proposal- 5 B Street in line with the financial terms of the affordable unit and a decreased fee from $1,000 to $500. Selectman Jeannotte seconded the motion. Motion carried.

Route 40 Equipment Sales-Sale of heavy Equipment, Doris Drive:

Douglas Hausler, representing Mr. and Mrs. Loiselle, stated that he had support from abutters and there would be no more than 15 units on the lot. There was some confusion as to where the lot was located on the map. The Board requested a clear map at the next meeting. Chairman Chase asked if there was anyone to speak for or against.

1. Brian Reynolds, resident-263 Groton Rd stated that he is the prime abutter to the business. Mr. Reynolds was concerned with fumes from idling trucks and would like to see where activity would be centralized on the lot. Mr. Hausler noted that the activity proposed is allowable under IA zoning laws.

Mr. Hausler requested that the Board defer this to the next Board meeting to allow time to clear up placement issues.

Motion: Selectman Eliopoulos made a motion to continue the public hearing for the Route 40 Equipment Sales-Sale of Heavy Equipment on Doris Drive, until the August 27, 2007 regular meeting. Selectman Eliopoulos requested a better

description of the site with a more detailed map of the location. Selectman Jeannotte seconded the motion. Motion carried.

One Day Beer & Wine License- Sts. Vartanantz:

Rosette Jacobson, requested a One Day Liquor license for August 12th for St. Vartanantz Church.

Motion: Selectman Eliopoulos made a motion to approve the 1 Day Beer and Wine License to St. Vartanantz located on 180 Old Westford Rd., for Sunday August 12, 2007; from noon to 6pm. Selectman Jeannotte seconded the motion.

Pole Petition-Main Street:

David Agnew of National Grid requested placing conduit down Main Street for new homes on Amelia Drive. Chairman Chase asked if there was anyone to speak for or against the petition.

Motion: Selectman Eliopoulos made a motion to close the public hearing. Selectman Jeannotte seconded the motion. Motion carried.

Motion: Selectman Eliopoulos made a motion to approve the pole petition #243309; to place 100 feet of conduit on Main Street to Amelia Drive. Selectman Jeannotte seconded the motion. Motion carried.

FY 2007 Financial Report:

Kerry Speidel summarized the last fiscal year to the Board and indicated that there should be more in free cash than projected. Ms. Speidel reported on revenue and finances and noted all liabilities were paid. Ms. Speidel stated that the Town had shortfalls relative to forecasts on real estate taxes, state aid and local receipts. Ms. Speidel reported that due to the recycling by-law solid waste costs were down. Selectman Dalton questioned the police expense on building maintenance. Ms. Speidel stated she would look into the line item. Ms. Lussier, the Town Accountant, stated that auditors were in and spent a week in Town and that they would be back in October.

Town Manager Reports:

1. Mr. Cohen reported that the deadline for citizen petitions for fall Town Meeting had gone by and five had been submitted. Mr. Cohen reported that the petitions were the following:
    a. Revision of Trash by-law- Mr. Cohen noted that this petition was being shown to Town Counsel because some of the proposed language is confusing.
    b. Amended Zoning Petition for 44, 68, 70, 76 and 80 Billerica Road from RV to RC zoning.
    c. Amended Zoning Petition for 280-284 Chelmsford Street from RB to RC zoning.
    d. Petition Article requiring that the BOS have two meetings each year each dedicated to addressing specific issues.
    e. Petition Article requiring that the Planning Board, Conservation Commission and ZBA hold an annual joint meeting.

2. Senior Center- Mr. Cohen requested a motion concerning the FY08 Senior Tax Abatement Program.
   Motion: Selectman Eliopoulos made a motion to approve the increase hourly rate for the senior tax rebate program to $7.50 to meet the minimum wage and to increase the maximum abatement that taxpayers earn per fiscal year to $750. Selectman Jeannotte seconded the motion. Motion carried.

3. Mr. Cohen reported that the state budget had been approved.
4. Mr. Cohen reported that commercial property owners' compliance with the requirement that they submit annual income/expense data to the Assessors is only 26%. He reported that the Board of Assessors will assess the maximum $50 penalty on all commercial entities that did not comply with the data submission requirement. Mr. Cohen noted that the penalty would be on the tax bills.
5. Mr. Cohen reported on the special primary on Tuesday September 5th and requested a vote to approve the warrant.
   Motion: Selectman Eliopoulos made a motion to approve the warrant for the September 4, 2007 special primary election to congress for the 5th district. Selectman Jeannotte seconded the motion. Motion carried.
6. Mr. Cohen reported that the deadline for the School Building reimbursement is August 15th and that the state has received an overwhelming response from districts. Mr. Cohen stated that the Town is seeking funding for the entire School Building project.
7. Mr. Cohen reported on the Chapter 67 Municipal Relief Group Insurance Commission and the Town potentially being a part of the state pool. The deadline for application is October 1 but the Town would be unable to join at this time.

Town Manager Bids/Awards:

1. Parker School-Painting and Flooring-

Motion: Selectman Eliopoulos made a motion to approve the bid for Painting and Flooring at the Parker School to Bouchard Paint Inc., 130 Warren Hill Rd, Derry NH for $102,325. Selectman Jeannotte seconded the motion. Motion carried.

2. Parker School-VCT Boards and Vinyl Floor-

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2. *School Building Committee Correction-* Mr. Cohen stated that **an** error occurred at the June 25th meeting and that Evelyn Thoren should have been listed as the School Building Committee member.

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Selectman Referrals:

Selectman Wojtas made the following referral(s):

1. Selectman Wojtas requested that a report on the utility poles in the center be given at the Fall Town Meeting.
2. Selectman Wojtas commented on a Sheriff's Department Youth Safety graduation she attended and encouraged parents and students to attend next summer session on August 11th.

Selectman Jeannotte made the following referral(s):

1. Selectman Jeannotte stated that she has received calls concerning the speed of traffic in front of the library coming from Bedford on Route 4 into the center.
2. Selectman Jeannotte commented on the recent citizen petitions that have been turned into Town and thought the Board should clarify what can and can't be done by the Board. Chairman Chase suggested a protocol for petitions and how they should be responded to. **Action Item:** Selectman Jeannotte will make

suggestions at the next BOS meeting concerning the response to Citizen Petitions given to the Board.

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3. Selectman Eliopoulos requested to see a potential Ambulance Service shown as an Enterprise fund at the August 27, 2007 regular meeting.

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1. Selectman Dalton requested an update on the Highland Ave Bridge closing and the recent backup of side streets it is causing.
2. Selectman Dalton reported that the DPW/Fire Committee was meeting and are awaiting a report from the consultants. Discussion ensued concerning placement of the Center Fire Station.

Chairman Chase made the following referral(s):

1. Chairman Chase reported that the Stipend Committee was meeting and October 8th is their target completion date.
2. Chairman Chase stated that Leadership Team Meetings were continuing and asked the Board to attend on a rotating basis.
3. Chairman Chase reported that Dr. Yeoman, our new School Superintendent, has asked to meet individually with Board members. The School Administration office will contact each member to determine a mutually convenient time.
4. Chairman Chase expressed his displeasure with the town's commercial property owner's performance in complying with the annual income/expense data submission requirement, and urged the Chelmsford Business Association to lobby the business community to step up compliance. Chairman Chase wanted to assure residents that non-submission of the forms does not lower a commercial property owner's assessment or amount of tax assessed.

Chairman Chase recognized Boman Evans. Mr. Evans stated that he did not want Pond Street paved and asked to be kept informed about what is going on with the issue.

Press Questions:

Andy Metzger of the Chelmsford Independent, requested copies of the Town meeting articles and petitions for fall Town Meeting.

Motion: Selectman Eliopoulos made a motion to adjourn at **10:30pm.** Selectman Jeannotte seconded the motion. Motion unanimously carried.

Selectman Wojtas	Aye
Selectman Jeannotte	Aye
Selectman Eliopoulos	Aye

Selectman Dalton	Aye
Chairman Chase	Aye

Respectfully submitted,

Patrice Garvin

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA
August 27, 2007

Town Offices
50 Billerica Rd.

7:00 p.m. Call to Order

Public Service Announcements

- **"Mass Recycles Paper" Campaign**

Open Session

-

Scheduled Business

7:30 p.m. Review Topic: Open Session

7:35 p.m. American Legion – Change of Manager

7:40 p.m. The Big Kahuna – Withdrawal of Change of Manager, Director, Stockholder

7:45 p.m. Dog Hearing - owner Robert Webb, 17 Delwood Rd.

8:00 p.m. Continuation of Public Hearing- Route 40 Equipment Sales – Sale of Heavy Equipment – Doris Drive

8:05 p.m. Pole Petition – Brick Kiln Road (2)

8:10 p.m. One Day Beer & Wine License

- September 8, 2007 Habitat for Humanity Fund Raiser at the Senior Center

8:15 p.m. Town Manager Appointments

- Parade Committee 8/1/2007 – 7/31/2007
- Deputy Constable

8:20 p.m. Town Manager Reports

- Fire Based Ambulance Service

Town Manager Bids/Contract Awards

***** This meeting is televised. *****

9:00 p.m. Center Water District – Review Rate Increase

BOS Meeting Minutes

- BOS Regular Meeting Minutes – August 6, 2007

Unscheduled Business

- BOS Appointments to Personnel Board
- Board Responses to Citizen Petitions

Selectman Referrals

Press Questions

Executive Session

Next Regular Meeting: September 10, 2007

TOWN OF CHELMSFORD
BOARD OF SELECTMEN MINUTES
Monday, August 27, 2007
50 Billerica Rd, Chelmsford

Attending:
Samuel Chase, Selectman Chairman
Philip M. Eliopoulos, Selectman Vice Chair
Clare Jeannotte, Selectman Clerk
Patricia Wojtas, Selectman
William F. Dalton, Selectman
Paul Cohen, Town Manager

7:00pm
Chairman Chase called the meeting to order.

Public Service Announcements:

1. Jennifer Almedia, Recycling Coordinator and Ron Gudiner, Recycling Committee Chair reminded residents of the upcoming statewide recycling efforts for paper. Under the *Mass Recycles Paper!* Campaign Ms. Almedia requested that the Board read the motion provided that supports this campaign.

Motion: Selectman Eliopoulos made a motion to adopt and pass by the Town of Chelmsford at a regular meeting thereof held on August 27, 2007 the *Mass Recycles Paper!* Campaign as set forth by the Recycling Coordinator. Selectman Jeannotte seconded the motion. Motion carried.

2. Chairman Chase reminded residents that a special primary would be held on September 4th from 7am-8pm with August 31 as the last day for absentee ballots..

Open Session:

1. George Kacek, resident-24 Westview Ave spoke on the Pond Street Petition, received by the Board at a prior meeting. Mr. Kacek was looking for feedback on the issue. Mr. Kacek noted that he had attended several Conservation Commission meetings to learn more about the issue. Mr. Kacek was unsure as to why the Town needed Pond Street as a viable road. Selectman Eliopoulos stated that the Board would follow up on this issue.
2. Chief Murphy reminded residents of the upcoming movie night in Town on August 30th at McCarthy Field.
3. Marty Spalding, resident- 19 Moore Street asked about the GIS mapping of her lot and noted that it was incorrect. Mr. Cohen stated that the GIS mapping is not meant to be a boundary marker but if there is something missing, such as a parcel, it can be looked into. Selectman Eliopoulos noted that follow up would be done by the Board.
4. Bob Joyce, resident- 103 Turnpike Road asked if the Board would be hearing input on the ambulance study at the time it is discussed. Chairman Chase replied that the public could speak during the discussion of the ambulance issue.

5. Dennis Ready, resident- Parkhurst Road noted that the Stipend Committee would be holding a public session on August 28th at 7pm.

Open Session- Discussion by Board:

Chairman Chase gave a brief history on the conducting of Open Session. Chairman Chase discussed that he reviewed past agendas and minutes and is satisfied that time for Open Session was adequately provided for. Chairman Chase stated that from this point forward no other business would be scheduled during the 7-7:30 PM time period. Chairman Chase noted that public service announcements belong at the beginning of meetings. Chairman Chase indicated that residents who want active interchange with the Board during a meeting should call the Town Manger's office and asked to be placed on the agenda.

1. Tom Christiano, resident- 6 Drew Circle thanked the Board for their comments and suggested PSA's being done after open session has concluded.

Board Response to Citizen Petitions:

Selectman Jeannotte stated that the Board needs a process that covers the receipt and acknowledgement of citizen petitions. Selectman Jeannotte suggested that a Board liaison be appointed to manage the petition process. The process would state that a letter must be sent acknowledging receipt and stating that the petition will be reviewed.

Approval of Minutes:

Motion: Selectman Eliopoulos made a motion to approve the July 16, 2007 Executive Session Minutes, not for release. Selectman Jeannotte seconded the motion. Motion carried.

Motion: Selectman Eliopoulos made a motion to approve the August 6, 2007 regular meeting minutes. Amended: Under referrals correction Wojtas, no. 2. Next summer session. Page 4 item 1b, RV to RC zoning correction. Selectman Jeannotte seconded the motion. Motion carried.

American Legion-Change of Manager:

Motion: Selectman Eliopoulos made a motion to approve the American Legion, post 313, Change of Manager to Edward O'Neil, 90 Groton Rd. Chelmsford, MA. Selectman Jeannotte seconded the motion. Motion carried.

Town Manager Appointments:

1. Deputy Constable

Motion: Selectman Eliopoulos made a motion to approve the appointment of Deputy Constables Thomas Buntel and Kieran Lennon; and to accept the resignation of Jim Gilfoy. Selectman Jeannotte seconded the motion. Motion carried.

2. Parade Committee

Motion: Selectman Eliopoulos made a motion to appoint the following individuals to the Parade Committee with a terms expiring 8-31-08: James Cullen, James Good,

Henry Hamelin, Jeffrey Hardy, Douglas Hausler, Kathy Kelley, Lynn Marcella, Brian Ready and Rick Romano. Selectman Jeannotte seconded the motion. Motion carried.

The Big Kahuna, Withdrawal of Change of Manager:

Mr. Cohen explained the withdrawal and the concerns brought up at the last meeting.

1. Gary Levelle of Westford stated that he was trying to isolate the problems and was trying to solve the noise issue. Selectman Dalton commented on the extensive use of signs on Parkhurst Road. Mr. Levelle stated that he was just made aware of the signing issue. Mr. Levelle was also not aware of the lifeguard issue. Mr. Levelle noted that the capacity of the building is 150 and that it has never exceeded that amount. Mr. Levelle noted that the entertainment license is up for renewal in September and hopes to resolve all major issues by that time.

Dog Hearing- Owner Robert Webb, 17 Delwood Rd.:

Eric Merrill, Dog Officer addressed the Board and stated that the dog residing at 17 Delwood Rd has been a continuing problem. Mr. Merrill noted that the dog is aggressive, not leashed and a risk to the neighbors. Mr. Merrill stated that multiple citations were written and some are outstanding. Mr. Merrill stated that he has spoken with the owner but the dog continues to be a problem. Chairman Chase asked if there were any neighbors present who wished to address the Board.

1. Phil Green stated that his six year old son was attacked by the dog and he was concerned that someone would be bitten if the dog continues to reside in the home.
2. Bernadette Gillette, whose daughter lives on the street also has seen the dog be aggressive.
3. Joe Garven, resident-21 Delwood Rd stated that the dog has been an ongoing problem and that someone will get hurt.
4. Robert and Joanne Webb, owner of the dog apologized to the Board and the neighbors for all of the trouble the dog has caused. They said that they recognize the problem and have been trying to find a home for the dog, and will continue to do so.

Motion: Selectman Eliopoulos made a motion to approve the removal of a dog residing at 17 Delwood Rd., owner Mr. & Mrs. Webb. The Board gave the Webbs thirty days to place the dog in another home. Until the dog is placed it will be leashed and notallowed to run loose; follow-up from the Dog Officer. Selectman Jeannotte seconded the motion. Motion carried.

Continuation of Public Hearing- Route 40 Equipment Sales:

Motion: Selectman Eliopoulos made a motion to continue the Route 40 Equipment Sales, Sale of Heavy Equipment on Doris Drive to the September 10th regular Board meeting. Selectman Jeannotte seconded the motion. Motion carried.

Pole Petition- Brick Kiln Road:

Motion: Selectman Eliopoulos made a motion to continue the Pole petition for Brick Kiln Road until the September 10th regular Board meeting. Selectman Jeannotte seconded the motion. Motion carried.

One Day Beer and Wine License, Habitat for Humanity:

Barbara Renison of the Lowell Habitat for Humanity requested a One Day Beer and Wine License for September 8th at the Senior Center from 6pm-10pm.

Motion: Selectman Eliopoulos made a motion to approve the One Day Beer and Wine license to Habitat for Humanity, in Lowell, at the Senior Center on Saturday September 8th from 6pm-10pm. Selectman Jeannotte seconded the motion. Motion carried.

Town Manager Reports- Fire Based Ambulance Service:

Presentation by Mr. Cohen and Jack Parrow, Fire Chief

Mr. Cohen acknowledged the work done on the presentation and report by Ms. Speidel, Chief Murphy, Chief Parrow and Ms. Hebert. Mr. Cohen presented the Board with the goals of the proposal which are to maintain a high quality service in Town and public safety. Mr. Cohen noted that the proposal is being considered due to the financial concerns of the Town and expiration of the Trinity's contract on 12-31-07.

Mr. Cohen stated that the call volume, medical response, the 1995 Ambulance Study, the 2004 original fire department proposal, staffing levels and ambulance transports were all reviewed when writing this report. Mutual Aide with surrounding Towns was also reviewed. Mr. Cohen noted that the Town of Billerica has a Town based ambulance, and that situation was looked at in terms of response times and financial impact.

Mr. Cohen presented a summary sheet of finances with operation expenses, personnel expenses, revenue, and comparative data. Mr. Cohen then reviewed several questions related to providing a fire-based service and addressed each one individually. Questions such as: staffing, bidding process, consolidation of stations, health insurance for new EMT's, Additional Liability, workman's Comp, billing and when the plan would be in effect.

Questions from Board

1. Selectman Jeannotte-

Selectman Jeannotte asked about the cost to run five stations and asked the Chief to clarify the profit. Selectman Jeannotte asked if Trinity provides any reporting to the Town. Chief Parrow stated that monthly statements are received with calls and response times. Selectman Jeannotte asked if there is a proposal for five years. Mr. Cohen stated that he has a six year forecast. Selectman Jeannotte asked about the 1995 recommendation against the Town adopting a fire based program. Chief Parrow stated that the demographics of the Town have changed since 1995. Chief Parrow explained the process of when a call is received and the order of dispatch. Chief Parrow noted that for the majority of calls the engines are coming from five locations whereas Trinity is coming from one.

2. Selectman Wojtas-
Selectman Wojtas asked about the justification to go to a Town run ambulance. Chief Parrow stated that fire department response times are quicker. Selectman Wojtas asked about insurance liability.

3. Selectman Eliopoulos-
Selectman Eliopoulos is concerned with the staffing of the stations with a Town run ambulance. Selectman Eliopoulos asked if the minimum to run the stations is thirteen Firefighters. Chief Parrow stated that thirteen is the minimum. Chief Parrow explained the staffing of the fire stations when calls come in. Chief Parrow stated that the nature of the job means that there is a lot of down time for fire fighters, and this proposal makes them more productive. Chief Parrow explained why he proposed five additional fire fighters in the first Town based proposal that specified one ambulance and why it remained five fire fighters with the new proposal of two ambulances. Discussion ensued about the staffing of the stations and the mutual response aid that would be given with response times. Chief Parrow stated that accidents on the highway are the Town's responsibility. Mr. Cohen stated that the Town Manager is obligated to review proposals for service improvements and the overall situation has not improved since closing stations. Selectman Eliopoulos is concerned with the numbers being presented. Chief Parrow reiterated that all of the numbers presented to the Board are correct. Discussion ensued concerning service payments and how the Town receives them, and how to account for those who can not pay.

Public Comments

1. Tom Moran stated that he was on the 1995 study that did not recommend a Town run program. Mr. Moran supported more of a public dialog concerning this topic.
2. Bob Joyce, resident-103 Turnpike stated that when he was on the Board of Selectmen in 1995, the review committee was first in favor of a fire-based service, but then reversed its position after further study. Mr. Joyce stated that usually the police are the first on scene then fire. Mr. Joyce stated the value of the fire fighters knowing the situation they are responding to.
3. Dennis Ready questioned the numbers given in the presentation. Chief Parrow explained the staffing of the stations concerning vacations. Mr. Ready stated that it is up to the Board to do due diligence.
4. Karen DeDonato, Precinct 8 Town Meeting Representative thanked the Board for the proposal and noted the value of the Fire Department. Ms. DeDonato has faith in the numbers presented and urged the Town to keep all stations open. Ms. DeDonato also thanked the Chemalys for all of their service to the Town.
5. Thomas Newcomb stated that it is an issue of public safety and not a business decision. Mr. Newcomb is concerned with the staffing once calls come in. Chief Parrow stated that the same level of service would be maintained. Mr. Newcomb stated that less firefighters would be left at the station.
6. Don Funaro, Town Firefighter wanted to clarify that there is no delay in response. Mr. Funaro stated that the familiarity that firefighters have with residents is a positive.

7. Glenn Thoren reiterated the public safety message. Mr. Thoren asked the Chief to clarify a concern with staffing. Mr. Thoren asked about a five year projection with increasing costs. Mr. Thoren stated that a public meeting on the issue is crucial.
8. Fran McDougall, Precinct 1 Town Meeting Representative asked about heavy lifting. Ms. McDougall asked about the timeframe of the Town run proposal and is concerned about any action being taken prior to Town Meeting.
9. Pamela Armstrong asked about the costs of bringing all of the stations back on because at some point due to finances some may have to close again. Ms. Armstrong cautioned against a Town owned ambulance.
10. Chief Murphy clarified the dispatching system and stated that there are no delays.
11. Mike Eliopoulos wanted the Board to look at public safety and staffing.

Mr. Cohen ended the discussion by stating that a public session would be held and that a draft warrant article would be send to Town Counsel.

Center Water District-Review Rate Increase:
Packets were distributed and the Board deferred a report from the Center Water District's rate increase presentation until the September 10th regular Board meeting.

BOS Appointment to Personnel Board:

Motion: Selectman Eliopoulos made a motion to appoint Cheryl Boss (2yr term), Ellen DiPasquale (2yr term), Debra C. Mungovan (1yr term) and Ed Roux (1 yr term), to the Personnel Board. Selectman Jeannotte seconded the motion. Motion carried.

Stipend Committee:
Selectman Dalton stated that the Stipend Committee is losing a member and asked for a motion to place Tom Moran on the committee.

Motion: Selectman Eliopoulos made a motion to approve Thomas Moran to the Stipend Committee to replace Glenn Doherty. Selectman Jeannotte seconded the motion. Motion carried.

Selectman Referrals:
No referrals were made due to the late hour.

Press Questions:
Rita Savard of the Lowell Sun asked if there are any towns listed in the early Ambulance Study that were for or against it. Mr. Cohen replied that there were no towns listed. Ms. Savard asked about mutual response times. Mr. Cohen said he would get the information.

Motion: Selectman Eliopoulos made a motion to adjourn at **11:30pm.** Selectman Jeannotte seconded the motion. Motion unanimously carried.

Respectfully submitted,

Patrice Garvin

approved 9/24

TOWN OF CHELMSFORD
BOARD OF SELECTMEN MINUTES
Monday, August 27, 2007
50 Billerica Rd, Chelmsford

Attending:
Samuel Chase, Selectman Chairman
Philip M. Eliopoulos, Selectman Vice Chair
Clare Jeannotte, Selectman Clerk
Patricia Wojtas, Selectman
William F. Dalton, Selectman
Paul Cohen, Town Manager

7:00pm
Chairman Chase called the meeting to order.

Public Service Announcements:

1. Jennifer Almedia, Recycling Coordinator and Ron Gudiner, Recycling Committee Chair reminded residents of the upcoming statewide recycling efforts for paper. Under the *Mass Recycles Paper!* Campaign Ms. Almedia requested that the Board read the motion provided that supports this campaign.

Motion: Selectman Eliopoulos made a motion to adopt and pass by the Town of Chelmsford at a regular meeting thereof held on August 27, 2007 the *Mass Recycles Paper!* Campaign as set forth by the Recycling Coordinator. Selectman Jeannotte seconded the motion. Motion carried.

2. Chairman Chase reminded residents that a special primary would be held on September 4th from 7am-8pm with August 31 as the last day for absentee ballots..

Open Session:

1. George Kacek, resident-24 Westview Ave spoke on the Pond Street Petition, received by the Board at a prior meeting. Mr. Kacek was looking for feedback on the issue. Mr. Kacek noted that he had attended several Conservation Commission meetings to learn more about the issue. Mr. Kacek was unsure as to why the Town needed Pond Street as a viable road. Selectman Eliopoulos stated that the Board would follow up on this issue.
2. Chief Murphy reminded residents of the upcoming movie night in Town on August 30th at McCarthy Field.
3. Marty Spalding, resident- 19 Moore Street asked about the GIS mapping of her lot and noted that it was incorrect. Mr. Cohen stated that the GIS mapping is not meant to be a boundary marker but if there is something missing, such as a parcel, it can be looked into. Selectman Eliopoulos noted that follow up would be done by the Board.
4. Bob Joyce, resident- 103 Turnpike Road asked if the Board would be hearing input on the ambulance study at the time it is discussed. Chairman Chase replied that the public could speak during the discussion of the ambulance issue.

5. Dennis Ready, resident- Parkhurst Road noted that the Stipend Committee would be holding a public session on August 28th at 7pm.

Open Session- Discussion by Board:

Chairman Chase gave a brief history on the conducting of Open Session. Chairman Chase discussed that he reviewed past agendas and minutes and is satisfied that time for Open Session was adequately provided for. Chairman Chase stated that from this point forward no other business would be scheduled during the 7-7:30 PM time period. Chairman Chase noted that public service announcements belong at the beginning of meetings. Chairman Chase indicated that residents who want active interchange with the Board during a meeting should call the Town Manger's office and asked to be placed on the agenda.

1. Tom Christiano, resident- 6 Drew Circle thanked the Board for their comments and suggested PSA's being done after open session has concluded.

Board Response to Citizen Petitions:

Selectman Jeannotte stated that the Board needs a process that covers the receipt and acknowledgement of citizen petitions. Selectman Jeannotte suggested that a Board liaison be appointed to manage the petition process. The process would state that a letter must be sent acknowledging receipt and stating that the petition will be reviewed.

Approval of Minutes:

Motion: Selectman Eliopoulos made a motion to approve the July 16, 2007 Executive Session Minutes, not for release. Selectman Jeannotte seconded the motion. Motion carried.

Motion: Selectman Eliopoulos made a motion to approve the August 6, 2007 regular meeting minutes. Amended: Under referrals correction Wojtas, no. 2. Next summer session. Page 4 item 1b, RV to RC zoning correction. Selectman Jeannotte seconded the motion. Motion carried.

American Legion-Change of Manager:

Motion: Selectman Eliopoulos made a motion to approve the American Legion, post 313, Change of Manager to Edward O'Neil, 90 Groton Rd. Chelmsford, MA. Selectman Jeannotte seconded the motion. Motion carried.

Town Manager Appointments:

1. Deputy Constable

Motion: Selectman Eliopoulos made a motion to approve the appointment of Deputy Constables Thomas Buntel and Kieran Lennon; and to accept the resignation of Jim Gilfoy. Selectman Jeannotte seconded the motion. Motion carried.

2. Parade Committee

Motion: Selectman Eliopoulos made a motion to appoint the following individuals to the Parade Committee with a terms expiring 8-31-08: James Cullen, James Good,

Henry Hamelin, Jeffrey Hardy, Douglas Hausler, Kathy Kelley, Lynn Marcella, Brian Ready and Rick Romano. Selectman Jeannotte seconded the motion. Motion carried.

The Big Kahuna, Withdrawal of Change of Manager:

Mr. Cohen explained the withdrawal and the concerns brought up at the last meeting.

1. Gary Levelle of Westford stated that he was trying to isolate the problems and was trying to solve the noise issue. Selectman Dalton commented on the extensive use of signs on Parkhurst Road. Mr. Levelle stated that he was just made aware of the signing issue. Mr. Levelle was also not aware of the lifeguard issue. Mr. Levelle noted that the capacity of the building is 150 and that it has never exceeded that amount. Mr. Levelle noted that the entertainment license is up for renewal in September and hopes to resolve all major issues by that time.

Dog Hearing- Owner Robert Webb, 17 Delwood Rd.:

Eric Merrill, Dog Officer addressed the Board and stated that the dog residing at 17 Delwood Rd has been a continuing problem. Mr. Merrill noted that the dog is aggressive, not leashed and a risk to the neighbors. Mr. Merrill stated that multiple citations were written and some are outstanding. Mr. Merrill stated that he has spoken with the owner but the dog continues to be a problem. Chairman Chase asked if there were any neighbors present who wished to address the Board.

1. Phil Green stated that his six year old son was attacked by the dog and he was concerned that someone would be bitten if the dog continues to reside in the home.
2. Bernadette Gillette, whose daughter lives on the street also has seen the dog be aggressive.
3. Joe Garven, resident-21 Delwood Rd stated that the dog has been an ongoing problem and that someone will get hurt.
4. Robert and Joanne Webb, owner of the dog apologized to the Board and the neighbors for all of the trouble the dog has caused. They said that they recognize the problem and have been trying to find a home for the dog, and will continue to do so.

Motion: Selectman Eliopoulos made a motion to approve the removal of a dog residing at 17 Delwood Rd., owner Mr. & Mrs. Webb. The Board gave the Webbs thirty days to place the dog in another home. Until the dog is placed it will be leashed and notallowed to run loose; follow-up from the Dog Officer. Selectman Jeannotte seconded the motion. Motion carried.

Continuation of Public Hearing- Route 40 Equipment Sales:

Motion: Selectman Eliopoulos made a motion to continue the Route 40 Equipment Sales, Sale of Heavy Equipment on Doris Drive to the September 10th regular Board meeting. Selectman Jeannotte seconded the motion. Motion carried.

Pole Petition- Brick Kiln Road:

Motion: Selectman Eliopoulos made a motion to continue the Pole petition for Brick Kiln Road until the September 10th regular Board meeting. Selectman Jeannotte seconded the motion. Motion carried.

One Day Beer and Wine License, Habitat for Humanity:

Barbara Renison of the Lowell Habitat for Humanity requested a One Day Beer and Wine License for September 8th at the Senior Center from 6pm-10pm.

Motion: Selectman Eliopoulos made a motion to approve the One Day Beer and Wine license to Habitat for Humanity, in Lowell, at the Senior Center on Saturday September 8th from 6pm-10pm. Selectman Jeannotte seconded the motion. Motion carried.

Town Manager Reports- Fire Based Ambulance Service:

Presentation by Mr. Cohen and Jack Parrow, Fire Chief

Mr. Cohen acknowledged the work done on the presentation and report by Ms. Speidel, Chief Murphy, Chief Parrow and Ms. Hebert. Mr. Cohen presented the Board with the goals of the proposal which are to maintain a high quality service in Town and public safety. Mr. Cohen noted that the proposal is being considered due to the financial concerns of the Town and expiration of the Trinity's contract on 12-31-07.

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Motion: Selectman Eliopoulos made a motion to appoint Cheryl Boss (2yr term), Ellen DiPasquale (2yr term), Debra C. Mungovan (1yr term) and Ed Roux (1 yr term), to the Personnel Board. Selectman Jeannotte seconded the motion. Motion carried.

Stipend Committee:
Selectman Dalton stated that the Stipend Committee is losing a member and asked for a motion to place Tom Moran on the committee.

Motion: Selectman Eliopoulos made a motion to approve Thomas Moran to the Stipend Committee to replace Glenn Doherty. Selectman Jeannotte seconded the motion. Motion carried.

Selectman Referrals:
No referrals were made due to the late hour.

Press Questions:
Rita Savard of the Lowell Sun asked if there are any towns listed in the early Ambulance Study that were for or against it. Mr. Cohen replied that there were no towns listed. Ms. Savard asked about mutual response times. Mr. Cohen said he would get the information.

Motion: Selectman Eliopoulos made a motion to adjourn at **11:30pm.** Selectman Jeannotte seconded the motion. Motion unanimously carried.

Respectfully submitted,

Patrice Garvin

Approved 9/24

TOWN OF CHELMSFORD
BOARD OF SELECTMEN MINUTES
Tuesday, September 4, 2007
50 Billerica Road, Town Offices

Attending:

Samuel P. Chase, Selectman Chairman
William F. Dalton, Selectman
Philip M. Eliopoulos, Selectman Vice Chairman
Clare L. Jeannotte, Selectman Clerk
Patricia Wojtas, Selectman

Paul Cohen, Town Manager

5:25 pm
Chairman Chase called the work session to order.

Each of the members discussed his/her reasons for seeking a seat on the Board of Selectmen. The Town Manager discussed his reasons for entering the profession and seeking employment with the Town of Chelmsford.

The group reviewed some of the major issues addressed by the Board during the past few months, discussed the challenges facing the Town, and considered the perception of the Board in the community. All agreed that communication could be improved. Pat Wojtas suggested that the Board hold a work session every month in addition to its two regular business meetings.

Everyone recognized that the biggest challenge for the community is an upcoming Proposition 2 ½ operational override to maintain municipal operations. Discussion ensued as to whether politically sensitive issues such as tow contracts and ambulance service proposals assisted or detracted from the potential success for an override.

The Town Manager informed the members that he would be presenting a revised ambulance proposal at the Board's September 10 meeting. He explained that in response to the concerns that have been raised by the community, that he revisited the concept of a public-private partnership with a private ambulance provider.

There being no further business before the Board, Selectman Jeannotte motioned to adjourn, seconded by Selectman Dalton. The meeting adjourned at 9:30 p.m.

NEXT REGULAR MEETING:
The next meeting of the Board of Selectmen is scheduled for September 10, 2007 at 7:00 p.m.

Respectfully submitted,
Paul E. Cohen
Town Manager

Notice of Meetings of Town Departments and all Town Boards

As required by Chapter 39, G.L.

~ Please Press Firmly and Print ~

Name Of Department or Board: Board of Selectmen

Date of Meeting: September 1, 2015 **Time:** 7pm

Location: Town Office Name of Building Room Number: 24

50 Elliot St Street Address

Elizabeth A Delaney
Town Clerk's Signature

Clerk/Bd. Member & Date

RECEIVED
07 MAY 23 AM 9:27
TOWN OF CHELMSFORD
ELIZABETH L. DELANEY
TOWN CLERK

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA
September 10, 2007

Town Offices
50 Billerica Rd.

7:00 p.m. Call to Order

Public Service Announcements

Open Session

Scheduled Business

7:30 p.m. Mary Tiano- American Heart Association Inaugural Merrimack Valley Heart Walk on September 29

7:35 p.m. Continuation of Public Hearing- Route 40 Equipment Sales – Sale of Heavy Equipment – Doris Drive

7:40 p.m. Pole Petition – Brick Kiln Road (2)

7:45 p.m. One Day Beer & Wine License

- Dance, Sept 29, St. Vartananz Church 180 Old Westford Road
- Wedding, Oct 26, St. Vartananz Church 180 Old Westford Road

7:50 p.m. Kerry Speidel - MWPAT Interim Loan No. CW-05-02 $4,707,976

8:00 p.m. Pat Maloney - Fire / DPW Facilities Presentation

8:30 p.m. Town Manager- Revised Fire Based Ambulance Proposal

8:45 p.m. John Chemaly- Trinity EMS: regarding ambulance service

Town Manager Appointments

- Cultural Council
- Historical Commission

Town Manager Bids/Contract Awards

- Road Salt Bid Award

***** This meeting is televised. *****

Town Manager Reports

- School Building Authority Project Reimbursements
- End of Fiscal Year 2008 Payroll
- Road Construction Projects

Unscheduled Business

- Affordable Housing Management Contract
- Review Draft Warrant for Fall Town Meeting
- Pond Street Resurfacing
- Concord Road No Parking Zone
- Meeting Schedule

BOS Meeting Minutes

- BOS Regular Meeting Minutes – August 27, 2007

Selectman Referrals

Press Questions

Executive Session

Next Regular Meeting: September 24, 2007

TOWN OF CHELMSFORD
BOARD OF SELECTMEN MINUTES
Monday, September 10, 2007
50 Billerica Rd, Chelmsford

Attending:
Samuel Chase, Selectman Chairman
Philip M. Eliopoulos, Selectman Vice Chair
Clare Jeannotte, Selectman Clerk
Patricia Wojtas, Selectman
William F. Dalton, Selectman
Paul Cohen, Town Manager

7:00pm
Chairman Chase called the meeting to order and asked for a moment of silence in memory of those who died on September 11th.

Public Service Announcements:

1. Kelley Beatty invited the town to come to a star party being held on Saturday September 15th at 7pm.
2. Bernie Ready invited residents to attend the 3rd Annual Farm Fair, being held on September 29th.
3. Chairman Chase reminded residents that there is a public hearing for the Ambulance Study on Thursday September 13th at 7:30pm at the Senior Center.

Open Session:
No one spoke.

Mary Tiano-American Heart Association Inaugural Merrimack Valley Heart Walk on September 29:
Ms. Tiano gave a brief update on the events and noted that donations can be made by contacting her.

Selectman Referrals:
Selectman Dalton made the following referral(s):

1. Selectman Dalton requested an update on Concord Road. Selectman Eliopoulos suggested a motion to allow No Parking signs to be placed on the Road.
   Motion: Selectman Eliopoulos made a motion to approve No Parking Signs on Concord Road, from Sandra Rd to the Carlisle line, with the DPW Directors deciding where the signs would be placed. Selectman Jeannotte seconded the motion. Motion carried.

Selectman Eliopoulos made the following referral(s):

1. Selectman Eliopoulos reported that the Route 3 re-study was complete and has not been released by the state. Selectman Eliopoulos stated that he would follow-up.

2. Selectman Eliopoulos reported that he and Selectman Jeannotte met with the Slow Growth Initiative. Selectman Eliopoulos stated that the LIP Policy should be revisited. Selectman Jeannotte reported on the status of the Affordable Housing Panel and noted it would need more follow-up.
3. Selectman Eliopoulos requested that the Warrant Article concerning Bentley Lane, needed to be forwarded to interested parties.

Selectman Jeannotte made the following referral(s):

1. Selectman Jeannotte noted that she met with the School Committee.
2. Selectman Jeannotte encouraged residents to go and look at open space sites located throughout Town.

Selectman Wojtas made the following referral(s):

1. Selectman Wojtas requested an update on the bike path. Mr. Cohen stated that the completion date is set for August 2009. Mr. Cohen outlined some upcoming concerns and directed residents to go to the Mass Highway web site to see progress. Selectman Dalton suggested notifying former State Representative Carol Cleven if and when a ribbon cutting ceremony is scheduled.
2. Selectman Wojtas explained to residents that Board meetings are repeated on Telemedia during the week.

Continuation of Public Hearing-Route 40 Equipment Sales-Sale of heavy Equipment, Doris Drive:

Douglas Hausler, representing the applicant, stated that all of the abutters concerns have been addressed. Mr. Hausler stated that there would be no activity on the weekends, that the dust concern has been addressed, and a flood light is being redirected. Chairman Chase asked if there was anyone to speak for or against the petition. No one spoke.

Motion: Selectman Eliopoulos made a motion to close the public hearing. Selectman Jeannotte seconded the motion. Motion carried.

Motion: Selectman Eliopoulos made a motion to approve the application for an auto dealer's license to Route 40 Equipment Sales LLC to be able to sell used heavy equipment at the location set forth by the Building Inspector. Limited to 10 construction vehicles on site with the hours of operation from 7am-5pm Mon-Fri; compliance with the Town's zoning by-laws and that the Flood light issue be addressed. Selectman Jeannotte seconded the motion. Motion carried.

Pole Petition-Brick Kiln Road:

Marc Bristol of National Grid requested that the Board approve the pole petitions. Chairman Chase asked if there was anyone present to speak for or against the petition. No one spoke.

Motion: Selectman Eliopoulos made a motion to close the public hearing. Selectman Jeannotte seconded the motion. Motion carried.

Motion: Selectman Eliopoulos made a motion to approve the Pole Petition for National Grid #2570692 on Brick Kiln Rd for a new pole P9-1 on the north side of Brick Kiln Rd and Sprague Street & Pole Petition #2570703 new pole P17-1 on

the south side of Brick kiln Rd and Jennifer Lane. Selectman Jeannotte seconded the motion. Motion carried.

One Day Beer & Wine License-Dance, Sept. 29 + Oct 26, St. Vartananz Church, 180 Old Westford Road:

Roselle Jacobson requested two one day licenses from the Board.

Motion: Selectman Eliopoulos made a motion to approve a one day all alcohol license to St. Vartananz Church on 180 Westford Rd for September 29th; hours of operation 6pm-12am & a one day all alcohol license to St. Vartananz Church on 180 Westford Rd for October 26th; hours of operation 6pm-12am. Selectman Jeannotte seconded the motion. Motion carried.

Kerry Speidel-MWPAT Interim Loan No. CW-05-02 $4,707,976:

Ms. Speidel requested the Board approve the MWPAT loan, with a 1.8% interest rate. Selectman Eliopoulos read the entire motion into the record.

Motion: Selectman Eliopoulos made a motion to approve the MWPAT Interim Loan # CW-05-02 with an aggregate principal amount not to exceed $4,707,496. Formal motion read into the record. Selectman Jeannotte seconded the motion. Motion carried.

Selectman Referrals *Continued*:

Chairman Chase made the following referral(s):

1. Mr. Angie Toranto, School Committee member, gave the Board an update on the School reimbursements progress. Mr. Toranto stated that he has been trying to clarify to the state that the Town was looking for reimbursements on projects already completed.

Pat Mahoney-Fire/DPW Facilities Presentation:

Mr. Maloney listed the members of the committee and thanked them for their service. Mr. Mahoney outlined the mission of the committee and noted that there isn't a town parcel large enough to hold a combined Fire/DPW facility. Mr. Mahoney outlined issues the DPW is facing in terms of inadequacies and presented pictures of the DPW facilities. Mr. Mahoney also showed the Fire Department's issues and their inadequacies along with pictures of fire facilities.

Mr. Mahoney touched upon the MMA Consulting Group Inc. study that concluded the town needs to keep all fire stations open to have a 4 minute and under response time. The MMA recommended keeping the center fire station in the center but also suggested Drum Hill as an alternate location. Mr. Mahoney suggested that the Town go ahead and conduct a feasibility study.

Board Questions

Selectman Eliopoulos asked who would do the Feasibility study. Mr. Mahoney replied that study would be done through a collaborative effort. Mr. Mahoney added that an RFP would go out with the One Team approach. Selectman Eliopoulos asked what the preliminary costs of a combined facility would be. Mr. Mahoney quoted the ballpark of

$30 million for a combined Fire/DPW Facility, which could take eighteen months to complete. Selectman Wojtas asked where Fire Trainings occur presently. Selectman Jeannotte asked how long the Center Station could last. Mr. Mahoney replied that the Center Station had a couple of years of life left.

Town Manager- Revised Fire Based Ambulance Proposal:

Mr. Cohen presented the Board with a revised Ambulance Study Proposal. Mr. Cohen indicated that the revised proposal assigns one primary response ambulance to the Fire Department, which would free up engines for fires. Mr. Cohen explained that the second ambulance would be furnished by a private responder. Mr. Cohen showed the Board how the finances changed with the revised model and why the Board should consider the new proposal. Mr. Cohen noted that Mutual Aid would still be utilized and the goal is to enhance Public Safety. Mr. Cohen reviewed the question of staffing fire departments, costs, bidding, and the provision of ambulances by private contractors at other events in Town.

BOS Discussion

Chairman Chase briefly described the format of the September 13 public hearing on this issue. Selectman Jeannotte asked what happens if a patient requests transport to a specific hospital. Mr. Cohen noted that the hospital is the patient's choice. Selectman Jeannotte asked about the use of overtime pay with the revised proposal. Mr. Cohen noted that overtime costs come into play if five additional fire fighters are not added. Selectman Jeannotte requested clarification on how vacation schedules and overtime worked with staffing the stations. The Fire Deputy explained how vacations worked and that most are taken in the summer months.

Selectman Eliopoulos inquired about buying or leasing ambulances. Mr. Cohen replied that the proposal would be a lease purchase plan, not requiring a 2/3 vote from Town Meeting. Selectman Eliopoulos asked if he intended to put out a RPF to solicit for the Hybrid Plan. Mr. Cohen replied that no RPF would go out but discussions with private ambulance companies would occur.

Mr. Cohen stated that due to deficits the Town is forced to look at all options and that the ambulance plan could be a three year trial and it was not irreversible. Discussion ensued concerning the pros and cons of having a Town run ambulance. Selectman Jeannotte asked if information on private ambulances collected could be looked at. Selectman Eliopoulos wanted more information on any potential private company.

John Chemaly –Trinity EMS, regarding ambulance service:

Mr. Chemaly presented to the Board what a Town run ambulance would look like in the Town from his point of view. Mr. Chemaly noted the aging population of the Town and the collection percentage of gross billing that the Town could collect. Mr. Chemaly presented call volumes by the year, Medicare impact and average collection the Town could collect from a Town run service. Mr. Chemaly presented an average collection rate lower thanthat projected by the Town Manager. Mr. Chemaly noted the pay scale of the fire fighter and the costs with problems that could arise in the future. Mr. Chemaly

showed deficits in the Town proposal. Mr. Chemaly cautioned against the Board rushing to judgment to change to a Town run ambulance.

Board Questions

Selectman Wojtas asked if there were any job openings in Trinity. Mr. Chemaly stated that there were openings. Selectman Wojtas also asked about the experience levels of Trinity's employees.

Chairman Chase inquired about the gross billing of Trinity. The collection rate and how it was determined was explained. Chairman Chase pointed out, and Mr. Chemaly acknowledged, that collection rates are influenced by the amount of gross billing. Chairman Chase pointed out that Trinity's higher gross billing for service would tend to yield a lower collection rate. Chairman Chase noted that public employees do not fall under worker's comp. Chairman Chase noted Mr. Chemaly's comment that profit margin is a gray area and asked what the most profitable part is for Trinity. Mr. Chemaly indicated that BLS operations are profitable for Trinity. Chairman Chase wanted to know why the Hybrid plan did not work for Trinity. Mr. Chemaly stated that the plan did not work for the Town and he has not had enough time to study the proposal. Mr. Cohen and Mr. Chemaly discussed the 8-27-07 calls to 911 and whether Chelmsford would have had to respond to all four calls given that one was called directly into Trinity. Mr. Chemaly thanked the Board for their time.

Town Manager Appointments:

1. **Motion:** Selectman Eliopoulos made a motion to approve the following appointments:
    a. Norman Eiseman, Recycling Committee,- term ending June2008
    b. Evan Belansky Community Development Director, to the Local Engineering Planning Group (term ending June 30, 2008), Merrimack Valley Housing Consortium and the Northern Middlesex Council of Governances, Alternate Member (term ending June 30, 2008)
    c. Richard McNamee, Historical Commission, term ending June 30, 3009
    d. Barbara Fowlkes, Cultural Council, term ending June 30, 2009

Selectman Jeannotte seconded the motion. Motion carried.

2. **Motion:** Selectman Eliopoulos made a motion to approve the road salt bid award to the low bidder to Eastern Mineral Inc., Lowell, MA for $50.60 per ton for Mined and Solar Salt. Selectman Jeannotte seconded the motion. Motion carried.

Town Manager Reports:

1. Mr. Cohen reported on the school building authority and the reimbursements that will go into the stabilization fund.
2. Mr. Cohen requested a more formal discussion on the number of weeks employees have gotten paid in the past. And going forward.
3. Mr. Cohen said that the lights on North Rd will be working soon and the upcoming paving for certain roads in Town.

Affordable Housing Management Contract:

Motion: Selectman Eliopoulos made a motion to approve the confirmation to extend the formalized relationship in management of the LIP and HOP units to the Chelmsford Housing Authority until December 2009. Selectman Jeannotte seconded the motion. Motion carried.

Review Draft Town Meeting Warrant for Fall Town Meeting:
Mr. Cohen briefly explained to the Board the upcoming process of the Warrant.

Pond Street Resurfacing:
Chairman Chase stated that he spoke with the Conservation Commission's Chair. Mr. Cohen stated that the issue has been withdrawn and will be revisited in the spring.

Motion: Selectman Eliopoulos requested continuation with the Conservation Commission to review the issue of Pond St. Resurfacing to obtain adequate resources and information. Selectman Jeannotte seconded the motion. Motion carried.

Selectman Referrals *Continued:*
Selectman Wojtas made the following referral(s):

1. Selectman Wojtas reminded residents of the Library's upcoming annual used book sale.
2. Selectman Wojtas asked about a STOP sign near Kate's' Corner, and suggested that a STOP warning be painted on the road if placing a sign is not possible.

Selectman Jeannotte made the following referral(s):

1. Selectman Jeannotte briefly discussed the process for the Board to get quarterly reports from the Town manager and Town Treasurer.

Press Questions:
none

Motion: Selectman Eliopoulos made a motion to adjourn at **11:25pm.** Selectman Jeannotte seconded the motion. Motion unanimously carried.

Respectfully submitted,

Patrice Garvin

Notice of Meetings of Town Departments and all Town Boards

As required by Chapter 39, G.L.

~ Please Press Firmly and Print ~

Name Of Department or Board: Board of Selectmen - Ambulance Service

Date of Meeting: Thursday **Time:** 7:30 pm

Location: Senior Center Room Number: _____

Name of Building

75 Cedar Rd

Street Address

Elizabeth H Delaney

Town Clerk's Signature

T. Lyons 8/26/07

Clerk/Bd. Member & Date

TOWN CLERK
ELIZABETH H DELANEY
07 AUG 29 PM 12:44
RECEIVED

TOWN OF CHELMSFORD
BOARD OF SELECTMEN MINUTES- PUBLIC INFORMATION SESSION: TOWN AMBULANCE STUDY
Thursday, September 13, 2007
50 Billerica Rd, Chelmsford

Attending:
Samuel Chase, Selectman Chairman
Philip M. Eliopoulos, Selectman Vice Chair
Clare Jeannotte, Selectman Clerk
Patricia Wojtas, Selectman
William F. Dalton, Selectman
Paul Cohen, Town Manager

7:30pm
Chairman Chase called the meeting to order. Chairman Chase stated that this is a regular meeting of the Board with the only scheduled Agenda items being a presentation by the Town Manager, followed by Open Session.

Town Manager Ambulance Proposal:
Mr. Cohen presented a Hybrid Plan that consists of a Town Ambulance and an additional private ambulance. Mr. Cohen laid out the goals of the Hybrid Plan and noted the most important goal is public safety. Mr. Cohen touched upon future deficits and the need for a possible override. Mr. Cohen gave the projected net revenue of a town run ambulance along with call volume and average calls. Mr. Cohen presented information on staffing of fire houses and the impact of mutual aid.

Mr. Cohen gave comparative data from towns with Town run ambulances and stressed that going to a Town run system is not irreversible. Mr. Cohen went through a series of questions that have been asked concerning the ambulance proposal. Mr. Cohen concluded by stating that the program could be operational by January 1st.

Public Comments:
1. Joel Karp, Derringer Rd. thanked Trinity for their service and questioned the hospital limitations with a Town run service. Chief Parrow stated that a private contractor could bring a patient to a Boston hospital. Mr. Karp asked who authorized the schedule of who shows up when there is an incident. Chief Parrow stated that he and the Police Chief got together several years ago and decided that police and fire would respond to incidents in Town and at the time did not feel it warranted a vote at Town Meeting. Mr. Karp asked why the Town run ambulance could not be run through an enterprise fund. Mr. Cohen responded by stating that he did not choose that model because it is not cost effective. Mr. Karp asked about uncollected debts. Mr. Cohen replied that the percentage of debts not collected would be around 35%.
2. Fran McDougall, Dawn Drive asked how the ambulances would be purchased. Mr. Cohen replied that the Town would do a lease purchase.

3. Tom Moran, Dennison Rd. noted that he served on the 1995 committee that looked into a Town run ambulance. Mr. Moran suggested creating another committee to look at the issue. Mr. Moran suggested that there may be a management problem in the fire department and that the public's safety was in question. Mr. Moran concluded by stating that this proposal should not go to Town Meeting.
4. Thomas Fitzpatrick, New Spaulding Street, a physician of many years, is not in favor of a Town run ambulance.
5. Rick Mahoney, Prescott Drive stated that the way the system is now does not cost the residents any money. Mr. Mahoney asked if an RFP was sent out to other private companies.
6. Bill Griffin, Bishop Street stated that this is not a simple issue. Mr. Griffin asked clarifying questions regarding the difference between equipment for ALS and BLS vehicles. Chief Parrow explained what each engine had in terms of life saving equipment. Mr. Griffin pointed out that the engines had the same equipment as Trinity ambulances.
7. Charlene Burke, Leland Street stated personal examples as to why she thought Trinity should stay the sole provider of the Town and stated that keeping Trinity does not cost the Town anything.
8. John Dow, Chelmsford Street stated that the fire fighters are already EMTs and asked how the Town would pay or ambulances. Chairman Chase stated that the charge for the service would pay for the ambulances. Mr. Dow stated that this program would cost the Town money in the end because many people would not pay.
9. Ray McCusker, former Police Chief, asked about the public safety dispatchers handling of the additional load of calls. Mr. Cohen responded that if there is one ambulance then no additional dispatchers would be needed. Mr. McCusker noted that Trinity was rated one of the best ambulance servers in the state and that the Town should find another way to keep all of the stations open. Mr. McCusker concluded by stating that EMS was not broken in Town and should not change.
10. Sandy Rega asked for clarification on Mutual Aid. Chief Parrow noted that if there was a mass casualty then Mutual Aid would be called in. Ms. Reger asked if the additional private company with the Hybrid plan would be a new contract. Chief Parrow noted that the ambulances would still service Town events. Ms. Rega stressed concern with being able to be transported into Boston. Chief Parrow stated that going into Boston is not a problem.
11. Joyce Johnson, Cliff Rd. and a Precinct meeting representative cautioned the Board not to rush into a decision and suggested looking at this and coming back in the spring.
12. Robert Walt, Janet Road stated that it was the Towns moral responsibility to take care of itself and supported the Town run ambulance.
13. Paul Ericksson, Acton Road was a member of the 1995 committee and stated that a lot has happened since that committee. Mr. Erickson stated that the Fire Department provides great service. Mr. Erickson stated that if stations would close public safety is affected. Mr. Erickson was not it favor of a committee.

14. Bob Destrempe, Single-foot Rd. a firefighter from Lowell stated that the ambulance plan gave revenue to the Town. Mr. Destrempe stated that it was important to keep stations open. Mr. Destrempe questioned Trinity's numbers when they presented to the Board.
15. Jo Morse, Clarissa Road stated Trinity people know what to do when they are called. Ms. Morris stated that Trinity has been doing a great job for over thirty years.
16. Rod Bannly, Scotty Hollow Drive asked about the use of mutual aid. Mr. Bannly is concerned because he witnessed an incident where it took over twenty minutes for a response. Mr. Bannly stated that the Town should be seeing the revenue from an ambulance program.
17. Art Carmen is in favor of the Town Manager's proposal and asked about any homeland security funds available to the Town. Mr. Carmen wanted to keep all of the fire stations open and to keep the revenue in the Town. The firefighters in Town know the town and the people living in it and the Town should put a long term investment into the department. Mr. Carmen stated that an override is coming and that the Town can not afford to lose the revenue. Mr. Carmen stated that the Town Manager proposal is solid and thought it should go to Town Meeting.
18. Bob Joyce, Turnpike Road gave some personal experiences with EMS in Town. Mr. Joyce stated that the firefighters, when they come to his house, know his condition and can help without asking questions. Mr. Joyce stated that a committee to study the issue is not needed and that the issue should go to Town Meeting.
19. Armen Jeknavorian stated that mutual aid could be devastating because it could cause problems in the future. Mr. Jeknavorian stated that the Town is running well now and that it should not change.
20. Fran McDougall, Dawn Drive is concerned with the idea of going back to a private ambulance if this plan does not work. Ms. McDougall did not want to be the test case if the plan did not work.
21. Sue Sullivan, Country Club Drive stated that her brother is a fire fighter in a Town with a Town run ambulance. Ms. Sullivan stated that she has sought his advice as to whether the Town should adopt the program. Ms. Sullivan pointed to the lower costs for transport that could come from such a program. Ms. Sullivan noted that fire fighters know the Town geographically and that is a benefit.
22. Glenn Thoren, Pinewood Rd. stated that this is a complex issue and suggested looking at the numbers presented. Mr. Thoren stated that Firefighters are able to respond to BLS services. Mr. Thoren compared service in other Towns and stated that Mr. Cohen's numbers stand up. Mr. Thoren stated that in some Towns the program adds to public safety. Mr. Thoren requested that it be put to Town Meeting.
23. John Goffin, Precinct 7 Representative, gave a personal example of Trinity's service. Trinity is a valuable service to the community and should stay as the ambulance provider for the Town.
24. Jodie O'Neil, Hitching Post Rd. is in favor of a Town run ambulance because it brings revenue to the Town. Ms. O'Neil asked about the profit/loss of an

ambulance program. Ms. O'Neil also inquired about the rate the Town would charge. Ms. O'Neil wanted the issue to go to Town Meeting.

25. Karen DeDonato, Archibald Way spoke in support of the program. Ms. DeDonato requested that this issue be brought to Town Meeting for a vote. The position of the Board could be heard at Town Meeting but the representatives should get a chance to decide.
26. Brian Doherty, thanked the Board for the opportunity to speak asked about the RFP process. Mr. Cohen explained the RFP process for the Town. Mr. Doherty asked for the Board to consider what was best for the Town.
27. Bill Griffin, supported bringing the issue to Town Meeting.

Chairman Chase closed the public input part of the meeting and asked for selectmen comments. Selectman Eliopoulos was not in favor of placing the Town run Ambulance on the Town warrant and made a motion.

> **Motion:** Selectman Eliopoulos made a motion to set up a workshop after the Fall Town Meeting so the Board could discuss how the ambulance issue should be studied. The Ambulance proposal should not be part of the fall Town Meeting Warrant. Selectman Eliopoulos further moved that the current ambulance service provider's contract be extended for the next term, 12 months from the expiration date of December 31, 2007. Selectman Jeannotte seconded the Motion.

Discussion:

Selectman Wojtas is concerned with how to handle the Town run ambulance as a business in Town. Selectman Wojtas thinks the Town can do better than to bring half of a proposal to Town Meeting and supported Selectman Eliopoulos motion. Selectman Jeannotte agreed with the motion and noted that the proposal is not ready yet. Selectman Dalton did not support the motion and stated that his decision is in the best interest of the Town. Selectman Eliopoulos stated that there is no harm in waiting. Chairman Chase reminded the community that the Town Manager's proposal is built on a prior proposal that had been studied and revised over the past two years. Chairman Chase said that the proposal and projected revenue/expenses are sound, and said that he trusts the Town Manager and Fire Chief to bring forth a proposal that is in the best interests of the Town. Chairman Chase said that the proposal should be allowed to go to Town Meeting for review and debate. Mr. Cohen stated that it is clear that a majority of the Board does not support the proposal going to Town Meeting and suggested that the motion be amended by extending the current provider's contract for six months, which would allow the Board to appoint a study committee and time to review before the spring Town Meeting.

> Selectman Eliopoulos amended his motion to include the Town Manager's recommendation, that is, to set up a workshop after the Fall Town Meeting so the Board can discuss how the ambulance issue should be studied. The Ambulance proposal will not be part of the fall Town Meeting Warrant. Selectman Eliopoulos further moved that the current ambulance service provider's contract be extended for six months from the expiration date of December 31, 2007.

Selectman Jeannotte seconded the motion. Motion carried. (Dalton-No, Chase-No, Wojtas-Yes, Jeannotte-Yes, and Eliopoulos-Yes)

Motion: Selectman Eliopoulos made a motion to adjourn at 10:32pm. Selectman Jeannotte seconded the motion. Motion carried.

Notice Meetings of Town Departments and all Town Boards

As required by Chapter 39, G.L.

~ Please Press Firmly and Print ~

Name Of Department or Board: Board Selectmen

Date of Meeting: September 7, 2017 **Time:** 7pm

Location: Town Offices Room Number: 204

Name of Building

52 Eastman St

Street Address

Elizabeth A Dewey

Town Clerk's Signature

Clerk/Bd. Member & Date

RECEIVED
07 MAY 23 AM 9:27
TOWN OF CHELMSFORD
ELIZABETH L. DELANEY
TOWN CLERK

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA
September 24, 2007

Town Offices
50 Billerica Rd.

7:00 p.m. Call to Order

Public Service Announcements

- **Proclamation – Chelmsford Women Today**
- **Chelmsford Schools Foundation** – 3rd Annual Walk for Chelmsford Schools

Open Session

Scheduled Business

7:30 p.m. Café Madrid – Request to expand hours of operation and seating capacity

7:35 p.m. Subway, Chelmsford Street – Change of owner

7:40 p.m. Papa Johns – Common Victualer

7:45 p.m. Chelmsford Street Sunoco – Change of owner

7:50 p.m. Pole Petition – Elm Street

7:55 p.m. One Day Beer & Wine License – Andrew J. Zabierek Foundation

8:00 p.m. Solid Waste & Recycling Task Force Report - Marc Grant

8:15 p.m. Citizen Petition Article, Solid Waste – Joel Karp

Town Manager Appointments

- Parade Committee
- Deputy Constable
- Cultural Council

Town Manager Bids/Contract Awards

Town Manager Reports

***** This meeting is televised. *****

BOS Meeting Minutes

- BOS Regular Meeting Minutes – August 27, 2007
- BOS Work Session Minutes – September 2, 2007

Unscheduled Business

- Halloween
- Vote to Post State Election Warrant
- Vote to Post Town Meeting Warrant

Selectman Referrals

Press Questions

Executive Session

Next Regular Meeting: October 15, 2007

TOWN OF CHELMSFORD
BOARD OF SELECTMEN MINUTES
Monday, September 24, 2007
50 Billerica Rd, Chelmsford

Attending:
Samuel Chase, Selectman Chairman
Philip M. Eliopoulos, Selectman Vice Chair
Clare Jeannotte, Selectman Clerk
Patricia Wojtas, Selectman
Paul Cohen, Town Manager

William F. Dalton, Selectman was absent.

7:00pm
Chairman Chase called the meeting to order.

Public Service Announcements:

1. Chairman Chase noted that Selectman Dalton is recovering from double-knee surgery.
2. Chairman Chase reported that the Board will hold a joint meeting with FinCom and the School Committee on October 3rd at 7:30pm.
3. Chairman Chase noted the American Heart Association Walk on Saturday September 29th.
4. Selectman Eliopoulos read into the record a proclamation stating that September 24th through September 30th will be United States Women of Today Week. Helen Courtier, President of the Chelmsford Chapter thanked the Board for their support.
5. Chairman Chase reported a Chelmsford School Fund Walk is on Sunday October 21st.

Open Session:

1. Kevin Ross, resident-7 Billerica Road asked the Board to rezone his side of Billerica Road from an RB to an RC. Mr. Ross gave a brief history of the site and offered to place a covenant on the property. Mr. Ross has an Article on the Town Meeting warrant.
2. Glenn Thoren, Precinct 5 Town Meeting Representative, noted that he has received calls concerning the Ambulance Public Input Session on September 13th. Mr. Thoren stated that he has heard from other representatives who said they would not support an override unless the Town run ambulance study was considered. Mr. Thoren did not agree with the process the Board took regarding not placing the article on the fall warrant. Mr. Thoren asked the Board to reconsider their vote not to let Town Meeting Representatives vote on a Town run ambulance. Mr. Thoren stated that the Town would only benefit from a Town run ambulance and has found through his research very positive outcomes. Selectman Wojtas stated that she stood by her vote and noted that all members of the Board

voted for different reasons. Selectman Jeannotte stated that the Board plans on continuing to study the issue.

3. Fred Marcks, resident-13 Dakota Drive identified himself as the Senior Political Advisor for the repeal Chapter 40B. Mr. Marcks is trying to get the required number of votes to put the issue on the state ballot.
4. Bill Bursey, resident of 109 Warren Ave stated that a noise issue caused by a motorcycle in his neighborhood. Mr. Bursey has contacted the Police and is asking for help from the Board. Chairman Chase asked that the Town Manager follow-up with the police department.

Café Madrid-Request:

Yazmin Fadjo requested to expand hours of operation and seating capacity.

Motion: Selectman Eliopoulos made a motion to extend the hours for Café Madrid from 6am – 4pm to 6am -11pm; Monday through Sunday with ten additional seats. Selectman Jeannotte seconded the motion. Motion carried.

Subway-Chelmsford Street:

Motion: Selectman Eliopoulos made a motion to approve a Common Victualer License to Rajnikant Patel, DBA Bhumika Corp., DBA Subway located at 48 Chelmsford Street; hours of operation Monday through Sunday 7am-9pm. Selectman Jeannotte seconded the motion. Motion carried.

Papa Johns-Common Victualer:

Motion: Selectman Eliopoulos made a motion to approve a Common Victualer License to James Astarita, DBA Papa Johns located at 83 Parkhurst Rd (with seating for twelve); hours of operation Mon- Thurs 8am-midnight, Fri-Sat am-3am and Sunday's am-3am; Contingent on the sign off from the Board of Health and the Building Inspector. Selectman Jeannotte seconded the motion. Motion carried.

Chelmsford Street Sunoco:

Motion: Selectman Eliopoulos made a motion to approve a Common Victualer License to Quaism Butt, DBA Sunoco, located at 82 West Elm Ave; hours of operation Monday-Sunday 5am-midnight. Selectman Jeannotte seconded the motion. Motion carried.

Pole Petition-Elm Street:

Kathy Frasier, Dracut Verizon requested a pole to be placed on Elm Street. Chairman Chase asked if anyone wanted to speak for or against the petition.

Motion: Selectman Eliopoulos made a motion to close the public hearing. Selectman Jeannotte seconded the motion. Motion carried.

Motion: Selectman Eliopoulos made a motion to approve the Verizon pole petition to place a pole on Elm Street, set forth in plan 30 dated June 19, 2007. Selectman Jeannotte seconded the motion. Motion carried.

One Day Beer & Wine License-Andrew J. Zabierek Foundation:

Jacy Dawn requested a license for the Andrew J. Zabierek Foundation fund raising event on November 3rd.

Motion: Selectman Eliopoulos made a motion to approve a One Day Beer and Wine license to Jacy Dawn, for the 3rd annual Andrew Zabierek Memorial Scholarship Fund on November 3rd at the Old Town Hall; from 8pm-midnight. Selectman Jeannotte seconded the motion. Motion carried.

Solid Waste & Recycling Task Force Report:

Marc Grant, Chairman of the Committee introduced the committee members and stated the goals of the committee. Mr. Grant gave a listing of the contents of their final report including an introduction, background and the options with financial projections. Mr. Grant discussed the trash override passed by Town Meeting in the 1990's.

Mr. Grant presented five options to deal with the rising costs of trash in Town. The five options are: No Change, three (3) barrel limit, two (2) barrel limit, a two (2) barrel limit with a Pay as You Throw component and a one (1) barrel limit with a Pay as You Throw component.

Mr. Grant stated that the Solid Waste Recycle Task Force recommends a two (2) barrel basic service with a Pay as You Throw component. The committee added that the education of the program should begin as soon as possible. Any excess money would be used for solid waste programs in town. Mr. Grant noted that the Town by-law for weight of trash should be consistent with the trash contract in Town.

Questions from the Board

Selectman Wojtas asked about times of the year when there is more trash generated than other times in the year. Mr. Grant stated that a dispensation could be given for the Christmas week in Town. Discussion ensued as to how the base budget number was determined for trash removal and how an increase of 2 ½ % factors into the issue. Selectman Jeannotte asked about the multi families. Mr. Grant noted that many logistical issues entered into the multi family trash removal because some multi units are curbside while others are dumpsters. Mr. Cohen stated that the next step is to get the report out to the public and a possible presentation at Town Meeting.

Motion: Selectman Eliopoulos made a motion to accept the Solid Waste and Recycling Task Force's final report. Selectman Jeannotte seconded the motion. Motion carried.

Town Manager Appointments:

1. *Parade Committee:*

   Motion: Selectman Eliopoulos made a motion to approve Mark Duffy and Denise Marcaurelle to the Parade Committee, with a term expiring July 1, 2008. Selectman Jeannotte seconded the motion. Motion carried.

2. *Deputy Constable:*

Motion: Selectman Eliopoulos made a motion to approve John MacGilvray as Deputy Constable, with a term ending June 30, 2008. Selectman Jeannotte seconded the motion. Motion carried.

3. *Cultural Council:*
Motion: Selectman Eliopoulos made a motion to approve Marybeth O'Brien, Alma Bell C. Solis and Gina Caires to the Cultural Council, with a term ending June 30, 2009. Selectman Jeannotte seconded the motion. Motion carried.

Town Reports:

1. Mr. Cohen gave an update on the DPW excavate pile in the DPW yard. Mr. Cohen reported that the pile is being processed.
2. Mr. Cohen reported that the summer months were the time that the fire stations closed but they all will remain open for the winter months, at a cost of $110,000, which can be funded within the existing budget appropriation.
3. Mr. Cohen reported on the moving of Chelmsford Telemedia to a modular building off of the Police Station. Selectman Jeannotte asked if there was a problem with Telemedia being on Town owned land and if an agreement needs to be drawn up. Mr. Cohen stated that under the Town Charter it is up to the Town Manager to lease Town owned space. Selectman Eliopoulos suggested the Town Manager consider a license agreement with the Telemedia Corporation and contact the Telemedia Corp regarding this.
4. Mr. Cohen gave a brief status on the Town Golf Course. Mr. Cohen stated that conditions were good and total revenue had increased.
5. Mr. Cohen reported that the Chelmsford Forum needs a lot of work, on the interior and exterior of the building. There is no immediate concern but things will become costly to replace, i.e. the roof and the ice slab.
6. Mr. Cohen reported on the Acton Road and Maple Road Intersection. Mr. Cohen walked the site with Chief Murphy and Selectman Wojtas and observed a need for a STOP sign.
7. Mr. Cohen reported that the Chancellor of UMass Lowell is interested in a meeting with the Board to discuss their West Campus.
8. Mr. Cohen reported that the bike path ground breaking ceremony will be on October 4th at 3pm; a reception will follow. Mr. Cohen reported that there are concerns with bikers who will not see work is being done.
9. Mr. Cohen reported that the Fire/DPW committee would be conducting tours of the Fire and DPW facilities in Town.

Approval of Minutes:

Motion: Selectman Eliopoulos made a motion to approve the regular meeting minutes for August 27, 2007. Selectman Jeannotte seconded the motion. Motion carried.

Motion: Selectman Eliopoulos made a motion to approve the work session minutes for September 4, 2007. Selectman Jeannotte seconded the motion. Motion carried.

Halloween:

Motion: Selectman Eliopoulos made a motion to recognize October 31st as Halloween with trick or treating hours from 5pm-8pm. Selectman Jeannotte seconded the motion. Motion carried.

Vote to Post State Election Warrant:

Motion: Selectman Eliopoulos made a motion to approve the posting of the state election warrant. Selectman Jeannotte seconded the motion. Motion carried.

Vote to Post Town Meeting Warrant:

Motion: Selectman Eliopoulos made a motion to approve the posting of the Town Meeting warrant articles 1-19, with Article 20 being withdrawn. Selectman Jeannotte seconded the motion. Motion carried.

Selectman Referrals:

Selectman Wojtas made the following referral(s):

1. Selectman Wojtas asked who should be contacted if a light on the street is out. Mr. Cohen replied that the Board is the contact.
2. Selectman Wojtas met with Ms. Hebert and Ms. Dzuris to discuss changes to the Town webpage.

Selectman Jeannotte made no referrals.

Selectman Eliopoulos made the following referral(s):

1. Selectman Eliopoulos commented on the Bentley Lane Warrant Articles.
2. Selectman Eliopoulos reported that he has met with the Community Preservation Committee (CPC) and that they have articles for Town Meeting.
3. Selectman Eliopoulos reported that an upcoming meeting will be held with Lowell to discuss sewer capacity.
4. Selectman Eliopoulos commented that the Ambulance study would be looked into on an ongoing basis.

Chairman Chase made the following referral(s):

1. Chairman Chase commented that the Stipend Committee will report to the selectmen on October 15th.
2. Chairman Chase stated that the Leadership Committee is now meeting every two weeks.

Press Questions:

Andy Metzger of the Chelmsford Independent asked for a list of streets scheduled to be paved and also asked about Article 10 on the fall Town Meeting Warrant. Mr. Cohen stated that Article 10 was a CPC article concerning acquiring Open Space.

Motion: Selectman Eliopoulos made a motion to adjourn at **9:36pm.** Selectman Jeannotte seconded the motion. Motion unanimously carried.

Respectfully submitted,

Patrice Garvin

TOWN OF CHELMSFORD
BOARD OF SELECTMEN MINUTES
Wednesday, October 3, 2007
Administrative Office Building

Board of Selectmen Attending: Attending: Samuel Chase, Selectman Chairman, Philip M. Eliopoulos, Clare Jeannotte, Patricia Wojtas, Paul Cohen, Town Manager and Kerry Speidel Town Treasurer

William F. Dalton was absent.

School Committee Attending: - Kathy Duffett, Chairman, Angelo Taranto, Evelyn Thoren, Kevin Porter, Christina Walsh, Dr. Karen Mazza, Dr. John Yeoman, School Superintendent, and John Sousa Business Manager

Finance Committee Attending: David Turocy-Chairman, John Kurland, Mary Frantz, Dwight Hayward and Donald Van Dyne.

7:30pm
Chairman Chase called the meeting to order. Chairman Chase stated that Mr. Cohen along with Ms. Speidel would present followed by Dr. Yeoman.

Town Financial Presentation:
Mr. Cohen reviewed the Town by-law and Charter that specifies how to conduct a five year forecast. Mr. Cohen pointed out that the Charter lists the timeline for a budget to be done and the responsibilities of the Town Manager. Mr. Cohen gave a brief timeline for the financial plan of the Town from September through December and then from January through July. Mr. Cohen noted that Ms. Speidel would present the financial condition of the Town.

Ms. Speidel presented information of trends that have been seen in Town along with the Towns financial condition. Ms. Speidel reviewed historical data of revenue and expenses, adjusting for inflation. Ms. Speidel showed the last five years actuals from FY02-FY07. Ms. Speidel pointed to the different types of solvency (cash, budgetary, long run and service level solvency). Ms. Speidel noted that the Town's main purpose is to provide services to local residents and businesses.

Ms. Speidel presented information on evaluating the financial condition (obstacles and measurements). Ms. Speidel presented revenue trends and noted the slight increase in uncollected property taxes. Ms. Speidel presented the Expenditure Trends and how employee benefits, at over 15% of the operating budget vs. 10% in FY02, now consume all revenue growth. Ms. Speidel noted that the reserves have dropped steadily with the Stabilization fund now at 2% of operating budget, and with the money available in Free Cash recommended placing it in the Stabilization Fund. Ms. Speidel showed the trends of the Stabilization Fund over the past ten years. Ms. Frantz asked why the money from

the MSBA for school project reimbursements needs to wait to be placed into the stabilization fund. Mr. Cohen noted that the money will be part of the FY08 free cash and needs to be certified by the state, before it can go in the stabilization fund.

Ms. Speidel showed the expenditure summary over the past five years and commented that of the $16.4M increase in the total budget over 5 years, 9.7M is in debt service and undistributed costs. Ms. Speidel reviewed revenue assumptions for the Town. Ms. Speidel noted new growth, chapter 70, lottery and state aid as revenue sources. Ms. Speidel also presented Expenditure Assumptions such as fixed costs and debt service. Ms. Speidel noted the positive impact of adopting Section 18 last year.

Selectman Jeannotte asked about School choice and if the School Committee had considered this as a revenue source. Ms. Duffett stated that the School Committee has looked into the issue of School Choice but at this time is advising against adopting it, as it would be a net cost to the district.

Ms. Speidel stated that in order for the Town to provide level services, the Town would face a two million dollar deficit.

School Financial Presentation:
Dr. Yeoman introduced John Souza, Assistant to the Business Manager, to present the school department budget. Mr. Souza gave a history of the school budget from FY03-FY08. Mr. Souza presented a pie chart indicating that salaries are the largest piece of the schools budget, at 73.3%. Mr. Souza assumed that there would be a 3% increase in salary for FY09 and 2.5% thereafter, and noted that utilities, special education tuitions, transportation are increasing every year. Mr. Souza stated that the FY09-FY13 school budget plan is a level service budget. Mr. Souza distributed a sheet that shows actual and forecasted numbers for the schools budget. Mr. Souza stated that the FY09 budget is projected to be $46.9 million dollars.

Mr. Souza stated that salaries are the biggest piece of the budget and transportation is the second largest piece of the schools budget. Chairman Chase asked if the schools anticipated costs of teacher retirements in their numbers. Mr. Souza replied that the retirement costs were taken into account. Mr. Souza noted that for FY08- FY13 the schools budget would increase 14.6 million dollars, or 31.2%, compared to growth of 9.2% for FY04-FY08. Mr. Souza reiterated that the reasons for the increase were salaries, loss of one time monies and increased spending on special education and the compound impact of salary growth. The 5 year plan assumes a constant # of employees.

Mr. Cohen Conclusion of Presentations:
Mr. Cohen stated that the concern with the Town budget is that there is insufficient new revenue to maintain level services. Mr. Cohen pointed to cuts for nurses in the Board of Health and fire fighters. Mr. Cohen concluded by stating that the Town is looking at a $2,035,000 shortfall, before factoring in the department needs which will be submitted in the future. He stated that needs are already not being met in most, if not all municipal departments.

Boards Discussion/Next Steps:
Mr. Cohen noted the need for next steps and the possible impact on the tax bills. Mr. Cohen stated that the Town needs to show residents that everything is being done to improve the situation.

John Kurland commented on the impact of tax classification and noted that it does not generate money for the Town. Mr. Kurland noted that it is important to get that out to residents so the focus will be on real solutions to the deficit problem. Mr. Cohen stated that the Town needs to develop policies and principles to guide the Town as it moves forward.

Chairman Chase thanked Mr. Cohen, Ms. Speidel and Mr. Souza for their presentations and noted that the presentations set a tone for future discussion. Chairman Chase pointed out the net drain over the years on the Stabilization Fund and how hard it will be, going forward, to put money back into Stabilization. Chairman Chase noted that with expenses up and state aid down the Town will have no choice but to cut services or increase revenue. Mr. Porter asked if there was a timeline for the financial plan. Mr. Cohen replied that he will stick to last year's timeline and until the state gives their numbers the Town has to make their best estimates.

Mr. Cohen stated that if an override is considered the Boards have to note the ambulance study as well as the recent trash/recycling study presented to the selectmen and their impact. Selectman Eliopoulos stressed the need to share with each other the anticipated cuts. Mr. Cohen noted that budget requests have gone out to each department. Discussion ensued and Mr. Cohen explained his process for budget requests from the departments. Mr. Cohen noted the meetings of the leadership team and how those meetings will help move the process along. Mr. Cohen stated that the Town needs to see what can be done, at all levels. Ms. Jeannotte noted that the timeline needs to be looked and an accelerated schedule considered this year, at as well as what the critical needs are for the Town. Discussion ensued concerning the next three months and how often the three Boards should meet and discuss the budget deficits. Ms. Duffett stated that the Leadership Team will meet to discuss the presentations and plan a course of action.

> **Motion:** Selectman Eliopoulos made a motion to adjourn at **10:00pm.** Selectman Jeannotte seconded the motion. Motion unanimously carried.

Respectfully submitted,

Patrice Garvin

Notice Meetings of Town Departments and all Town Boards

As required by Chapter 39, G.L.

~ Please Press Firmly and Print ~

Name Of Department or Board: Board of Selectmen Work Session

Date of Meeting: Tuesday, October 2nd **Time:** 5:30 pm

Location: Town Offices Name of Building Room Number: 711 Conference

50 Billerica Road Street Address

RECEIVED
TOWN OF CHELMSFORD
TOWN CLERK'S DEPARTMENT
2007 SEP 26 AM 9:55

Elizabeth A. Delaney
Town Clerk's Signature

T. Lynch 9/26/07
Clerk/Bd. Member & Date

TOWN OF CHELMSFORD
BOARD OF SELECTMEN MINUTES –WORK SESSION
Monday, October 9, 2007
50 Billerica Rd, Chelmsford

Attending:
Samuel Chase, Selectman Chairman
Philip M. Eliopoulos, Selectman Vice Chair
Clare Jeannotte, Selectman Clerk
Patricia Wojtas, Selectman
William F. Dalton, Selectman
Paul Cohen, Town Manager

4:55pm
Chairman Chase called the meeting to order and reviewed the agenda for the work session.

Leadership Meeting:
Chairman Chase stated that the Leadership Team is meeting once a week and is focusing on the FY09 budget and a potential override. Chairman Chase noted a schedule would go out to the Board. Discussion ensued concerning when the next joint meetings will take place.

FY09 Budget:
Mr. Cohen stated that budget requests from department heads are due by October 31st. Mr. Cohen stated that he asked department heads to consider 5-10% less than they have today. Mr. Cohen noted that Town is looking at a 2.5 million dollar shortfall. Mr. Cohen stated that once the department head numbers come in he will share them with the Board.

Mr. Cohen stated that he senses the school department wants to request an override. Mr. Cohen commented that the Town could survive with the current budgets and that the schools are creating the shortfall. VERIFY Selectman Jeannotte stated that this is not out of character for the School Department because they always come in with a big number. Chairman Chase noted that meetings are scheduled with the School Department to discuss the schools budget requests. WHEN?

Chairman Chase stated that the override needs to be the last resort option. Selectman Dalton noted that the Board lacks credibility with the residents and that has to be regained if an override is going to pass. Selectman Wojtas stated that the Board needs to give out as much information as possible. Chairman Chase pointed to the two subcommittees (cost saving and revenue) that were formed last year and suggested these reports as a starting point for the Board. Selectman Wojtas noted that the community needs to see that an override is the right thing to do and the Board needs to work with the School Committee.

Chairman Chase stated that the school department does not seem to follow the same budget preparation format as the town side. Mr. Cohen suggested bringing that issue to the school department. Selectman Jeannotte asked Mr. Cohen what he needs from the Board to move forward. Mr. Cohen replied that communication with the school department is important. Discussion ensued concerning prioritization of needs and whether an override can pass given the climate of the Town. Mr. Cohen suggested using the Leadership Teams to move the process forward.

Town Meeting Warrant Articles:

Mr. Cohen outlined what the reports will be presented at Town Meeting and requested the Board approve those who are scheduled to report. Mr. Cohen gave the Board a brief update on the Robin Hill Article.

Ambulance Study Committee:

Chairman Chase suggested a five person committee and the possibility of opening the committee up to non-residents. Selectman Wojtas and Selectman Jeannotte thought a five person committee would be too small and that all members should be residents. Selectman Eliopoulos noted that the committee would look at three options: Hybrid Plan, Full Plan or leave the system as is. Chairman Chase suggested people start to think who should be on the committee. Chairman Chase will work on the mission and scope of the committee and have it ready by the October 18th Board meeting.

> **Motion:** Selectman Eliopoulos made a motion to adjourn at **8:10pm.** Selectman Jeannotte seconded the motion. Motion unanimously carried.

Respectfully submitted,

Patrice Garvin

Notice of Meetings of Town Departments and all Town Boards

As required by Chapter 39, G.L.

~ Please Press Firmly and Print ~

Name Of Department or Board: Forest Advisory

Date of Meeting: October 17, 2017 **Time:** 7pm

Location: Town Offices Room Number: 24

Name of Building

50 Pleasant St

Street Address

Elizabeth A Delaney

Town Clerk's Signature

Clerk/Bd. Member & Date

RECEIVED
07 MAY 23 AM 9:26
TOWN OF CHELMSFORD
ELIZABETH L. DELANEY
TOWN CLERK

Notice of Meetings of Town Departments and all Town Boards

As required by Chapter 39, G.L.

~ Please Press Firmly and Print ~

Name Of Department or Board: Board of Selectmen

Date of Meeting: Mon. Oct. 15, 2007 **Time:** 7:00 PM

Location: Town Office Room Number: 204

Name of Building

50 Billerica

Street Address

Elizabeth A. Delaney

Town Clerk's Signature

Clerk/Bd. Member & Date 9/11/07

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA
October 15, 2007

Town Offices
50 Billerica Rd.

7:00 p.m. Call to Order

Public Service Announcements

-

Open Session

-

Scheduled Business

7:30 p.m. Robert Morse, Community Preservation Committee
- Robin Hill Road Open Space Land Acquisition

7:35 p.m. Moonstones- Transfer of Alcoholic Beverage License

7:40 p.m. Village Grille – New Beer & Wine License

7:45 p.m. Pole Petition – Jordan Street

7:50 p.m. Café Madrid – New Beer & Wine License

7:55 p.m. Auto Dealer License: KHM Motors - 9 Butterfield St. - Reduce Class II Auto Dealers from 6 Vehicles for Sale to 3
Auto Dealer License: United Auto Sales - 9 Butterfield St. - Class II Auto Dealers 3 Vehicles for Sale

8:00 p.m. Evan Belansky – Update on Underground Utilities in Town Center

8:10 p.m. Stipend Committee Report – Dennis Ready

Town Manager Appointments
- Arts and Technology Education Fund Committee
- Sign Advisory Board

Town Manager Bids/Contract Awards – N/A

Town Manager Reports

***** This meeting is televised. *****

BOS Meeting Minutes

- BOS Regular Meeting Minutes – September 10, 2007
- BOS Public Forum – September 13, 2007
-

Unscheduled Business

- Board Positions on Warrant Articles
- Update of Liquor Rules and Regulations
-
-
-
-

Selectman Referrals

Press Questions

Executive Session

Next Regular Meeting: October 29, 2007

TOWN OF CHELMSFORD
BOARD OF SELECTMEN MINUTES
Monday, October 15, 2007
50 Billerica Rd, Chelmsford

Attending:
Samuel Chase, Selectman Chairman
Philip M. Eliopoulos, Selectman Vice Chair
Clare Jeannotte, Selectman Clerk
Patricia Wojtas, Selectman
Paul Cohen, Town Manager

William F. Dalton, Selectman was absent.

7:00pm
Chairman Chase called the meeting to order.

Open Session:

1. Philip Eliopoulos stated that as selectman he would no longer participate in the health insurance, provided by the Town.
2. Bill Griffin, 9 Bishop Street thanked Chief Parrow and Jim Pearson for the tour of the Fire and DPW facilities.

Town Manager Appointments:

1. Arts and Technology Education Fund Committee:

Motion: Selectman Eliopoulos made a motion to BOS approve Kirk Marshall to the Arts and Technology Education Fund Committee. Selectman Jeannotte approved the motion. Motion carried.

2. Sign Advisory Committee:

Motion: Selectman Eliopoulos made a motion to approve Fran T. McDougal and J. Michael Garvin to the Sign Committee. Selectman Jeannotte seconded the motion. Motion carried.

Town Manager Reports:

1. Mr. Cohen requested that the Board vote to approve acceptance of an easement

Motion: Selectman Eliopoulos made a motion to approve the acceptance of easements along the rail trail. Selectman Jeannotte seconded the motion. Motion carried.

2. Mr. Cohen updated the Board on the fact that there were no concerns with the current Town towing provider. Revenues of $8,515 were reported the first quarter.

3. Mr. Cohen reported on the noise complaint that was reported at the last Board meeting. Mr. Cohen stated that a police presence was on site and saw the

motorcycle go by but the noise was not excessive. Mr. Cohen believed that the residents who are affected by the noise are situated right on Warren Ave, where the motorcycle goes by.

4. Mr. Cohen reported that Skate Park was vandalized and police are following-up.

5. Mr. Cohen reported that the parade Committee is seeking to put up winter banners in the center and all proceeds will go to the Fourth of July fund. Mr. Cohen requested a vote from the Board.
   Motion: Selectman Eliopoulos made a motion to approve the placement of holiday/winter banners in the Town center, for this holiday season, set timeline made by the parade committee. Selectman Jeannotte seconded the motion. Motion carried.

6. Mr. Cohen reported that the Community Preservation Committee received $249,963.00 and there will be discussion concerning the money received at Town Meeting. These funds received are the State match to funds levied under the old rate.

Approval of Minutes:

Motion: Selectman Eliopoulos made a motion to approve the September 10, 2007 regular meeting minutes. Amended: Page 3- Pat Mohney to Pat Maloney and Page 4- RFP process. Selectman Jeannotte seconded the motion. Motion carried.

Motion: Selectman Eliopoulos made a motion to approve the September 13, 2007 public input session minutes. Page 2- Item 10, spelling of town meeting representative's name and Item 5, spelling of Joe Morse.

Selectman Referrals:

Selectman Eliopoulos made no referrals.

Selectmen Wojtas made the following referral(s):

1. Selectman Wojtas encouraged residents to stop by the library to view its new mural.
2. Selectman Wojtas commented on the bike-path dedication ceremony.
3. Selectman Wojtas reported that Jones's Farm will conduct a leaf collection program again this year.
4. Selectman Wojtas suggested revisiting the sign by-law and sign policies in Town.

Selectman Jeannotte made the following referral(s):

1. Selectman Jeannotte commented on the fall MMA conference and how one of the speakers was the Lieutenant Governor.

Chairman Chase made the following referral(s):

1. Chairman Chase stated that the Board will continue, through leadership team meetings, to discuss actions to bring the FY09 budget into balance.

2. Chairman Chase reported on the recent Work Session the Board conducted and noted that the Town Run Ambulance proposal was discussed.

Robert Morse, Community Preservation Committee- Robin Hill Road Open Space Land Acquisition:

Robert Morse, Chairman of the CPC commented on Article 10 of the Town Meeting Warrant concerning Robin Hill Farm. Mr. Morse gave a brief history of the property and noted the land is currently being leased for agricultural needs. Mr. Morse recommended the Town continue to lease for agricultural purposes. Mr. Morse noted that if this property is approved to be purchased at Town Meeting there is still money for other purchases by the CPC. Selectman Eliopoulos suggested contacting Town counsel and looking into who would control the property if the Town purchases it.

Motion: Selectman Eliopoulos made a motion to recommend Article 10 on the fall Town Meeting Warrant, regarding the CPC article for Robin Hill land acquisition. Selectman Jeannotte seconded the motion. Motion carried.

Moonstones-Transfer of Alcoholic Beverage License:

James Flood and Scott Plath of KMP Restaurant Group requested a transfer in alcoholic license. Chairman Chase asked if there was anyone present to speak for or against the license.

Motion: Selectman Eliopoulos made a motion to close the public hearing. Selectman Jeannotte seconded the motion. Motion carried.

Motion: Selectman Eliopoulos made a motion to continue the transfer of the alcoholic license for Moonstones until the October 29, 2007 regular Board meeting: subsequent to the Board policy to wait two weeks following an alcoholic application. Selectman Jeannotte seconded the motion. Motion carried.

Village Grille-New Beer and Wine License:

Pauline and Alan Curtis requested a new beer and wine license for the Village Grille, reaffirming their hours of operation. Chairman Chase asked if there was anyone present to speak for or against the license.

Motion: Selectman Eliopoulos made a motion to close the public hearing and to continue the request for a beer and wine license for the Village Grille until the October 29, 2007 regular Board meeting: subsequent to the Board policy to wait two weeks following an alcoholic application. Selectman Jeannotte seconded the motion. Motion carried.

Pole Petition-Jordan Street:

Kathleen Frasier, right-of-way manager for Verizon, requested to place 50ft of underground conduit for Jordan Rd to Bittersweet Lane, for new service. Chairman Chase asked if there was anyone present to speak for or against the petition.

1. Barbara Kellegrew, resident-30 Jordan Rd. was concerned about the double poles in front of the house. Ms. Frasier noted that the double poles would be removed.

Motion: Selectman Eliopoulos made a motion to close the public hearing. Selectman Jeannotte seconded the motion.
Motion: Selectman Eliopoulos made a motion to approve the pole petition Number 31, to place 50 feet of underground conduit on Jordan Rd. into Bittersweet Lane; contingent upon the removal of double poles on the plan at the beginning of construction. Selectman Jeannotte seconded the motion. Motion carried.

Café Madrid-New Beer & Wine License;
Lawrence Fadjo requested a beer and wine license. Chairman Chase asked if there was anyone present to speak for or against the license.

Motion: Selectman Eliopoulos made a motion to close and continue the public hearing for a beer and wine license until the October 29, 2007 regular Board meeting: subsequent to the Board policy to wait two weeks following an alcoholic application. Selectman Jeannotte seconded the motion. Motion carried.

Auto Dealer License-KHM Motors-9 Butterfield St:
Keith Harley requested that the Board reduce his Class II Auto Dealer license from six (6) Vehicles for Sale to three (3).

Motion: Selectman Eliopoulos made a motion to approve the Class II Auto Dealer License application to reduce the number of spaces for KMH Motors, located on 9 Butterfield St, from six (6) spaces to three (3). Selectman Jeannotte seconded the motion. Motion carried.

Auto Dealer License- United Auto Sales- 9 Butterfield St:
Brian Sullivan, representing Kellie Cibroski requested a Class II Auto Dealers License for three (3) Vehicles. Mr. Sullivan stated the official name of the business as Chelmsford United Auto Group, Inc.

Motion: Selectman Eliopoulos made a motion to approve the Class II Auto Dealer License to Chelmsford United Auto Group Inc., located on 9 Butterfield Street for three (3) parking spaces. Selectman Jeannotte seconded the motion. Motion carried.

Evan Belansky, Update on Underground Utilities in Town Center:
Mr. Belansky updated the Board on a recent meeting he had with Verizon representatives. Mr. Belansky noted that there were still fourteen (14) outstanding easements and he recommended they be taken by eminent domain. Selectman Wojtas asked when the work in the center would start. Mr. Belansky explained that Verizon would not start the work until they collected 1 million dollars. Mr. Belansky added that the project could be done in phases but that would mean it would cost more and take much longer. Mr. Belansky explained that once the money was collected the next phase could start and so on.

The Board discussed that this was unacceptable because Verizon was quoting a project length that might exceed twenty years. Selectman Eliopoulos suggested contacting people at Verizon to iron out their explanation. Ms. Frasier explained Verizon's position and that they were following the guidelines of what Town Meeting voted on. Ms. Frasier stated that Verizon did not have the money to start the work and the money needed to be collected. Selectman Eliopoulos wanted to meet with Town Counsel to discuss the issue.

Stipend Committee Report-Dennis Ready:

Dennis Ready, Chairman presented the mission statement of the Stipend Committee along with its members. Mr. Ready stated the committee reviewed the findings of the 1991 Study Committee. Mr. Ready concluded that stipends should be paid to the Board of Selectmen and the School Committee but health insurance should not be made available. Mr. Ready noted that the Stipend Committee held public hearings along with questionnaires, surveys of 24 other towns and a web page dedicated to the Stipend Committee. Mr. Ready noted that comparatively Chelmsford fell in the middle with other Towns and the stipends that were paid out. The vast majority of input received opposed health benefits for elected and appointed officials, but support fair stipends.

Mr. Ready stated the recommendations of the committee: 1. That stipends that will no longer be paid should terminate at the end of the Fiscal Year, and that health benefits should end when the current elected terms end. 2. That the Board of Selectmen and the School Committee should get stipends (Chair $2000 and members $1500). 3. There should be a separate line for the Stipends at Town meeting. 4. The Personnel Board should review the stipend amount yearly. 5. If the Board of Selectmen want to offer health insurance to elected stipended officials at full cost plus, they should seek a home rule petition. Mr. Ready thanked the board and Mr. Cohen and others who helped the committee.

Board Discussion

Selectman Jeannotte asked if the committee looked into the retired officials' pension costs. Mr. Ready stated that it was looked at and that it had a minor impact. Selectman Jeannotte requested to see the Town by Town data Mr. Ready noted in his presentation. Mr. Ready will provide full materials from the Committee to the Town Manager's office. Selectman Eliopoulos asked if the officials' still receiving health insurance had time to get another plan. Mr. Ready stated that a home rule petition could be made to extend the coverage.

> **Motion:** Selectman Eliopoulos made a motion to accept the report presented by the Stipend Review Committee and to take the recommendations under advisement, as well as direct the Chairman on the Stipend Committee to report at Fall Town Meeting. Selectman Jeannotte seconded the motion. Motion carried.

Board Positions on Warrant Articles:

Motion: Selectman Eliopoulos made a motion to recommended approval for Article 1 through Article 3 on the fall Town Meeting Warrant. Selectman Jeannotte seconded the motion. Motion carried.

Motion: Selectman Eliopoulos made a motion to recommended approval for Article 4 through Article 9 on the fall Town Meeting Warrant. Selectman Jeannotte seconded the motion. Motion carried.

Motion: Selectman Eliopoulos made a motion to recommended approval for Article 15 on the fall Town Meeting Warrant. Selectman Jeannotte seconded the motion. Motion carried.

Motion: Selectman Eliopoulos made a motion to recommended approval for Article 16 on the fall Town Meeting Warrant. Selectman Jeannotte seconded the motion. Motion carried.

Motion: Selectman Eliopoulos made a motion to hold recommendations for Article 17, Article 18 and Article 19. Selectman Jeannotte seconded the motion. Motion carried.

Update of Liquor Rules and Regulations:

Mr. Cohen requested a vote from the Board concerning the Town bylaws to be consistent with the state laws, specifically with regard to carry out liquor from a restaurant.

Motion: Selectman Eliopoulos made a motion to approve to amend the Town statute 3.05, concerning the provision to leave the restaurant with a container of alcohol, in conforming to the state statute. Selectman Jeannotte seconded the motion. Motion carried.

Press Questions:

1. Rita Savard of the Lowell Sun asked Mr. Cohen to clarify the Verizon issue with money that needed to be collected. Mr. Cohen stated that the Verizon needed to collect funds before starting to do the work in the center.

2. Andy Metzger, of the Chelmsford Independent asked if there is a fund dedicated to the burying of the wires in the center. Mr. Cohen stated that there is no Town fund and that the money collected goes to Verizon.

Motion: Selectman Eliopoulos made a motion to adjourn at **9:15pm.** Selectman Jeannotte seconded the motion. Motion unanimously carried.

Respectfully submitted,

Patrice Garvin

Notice of Meetings of Town Departments and all Town Boards

As required by Chapter 39, G.L.

~ Please Press Firmly and Print ~

Name Of Department or Board: Board of Selectmen

Date of Meeting: October 18 **Time:** 7:00 6:30

Location: Senior Center Room Number: _____

Name of Building

75 Cedar Road Shelburne Falls

Street Address

Elizabeth H Dewey

Town Clerk's Signature

Clerk/Bd. Member & Date 9/26/17

TOWN CLERK
RECEIVED
07 SEP 26 AM 8:54

TOWN OF CHELMSFORD
BOARD OF SELECTMEN MINUTES
Thursday, October 18, 2007
Senior Center, Chelmsford

Attending:
Samuel Chase, Selectman Chairman
Philip M. Eliopoulos, Selectman Vice Chair
Clare Jeannotte, Selectman Clerk
Patricia Wojtas, Selectman
William F. Dalton, Selectman

Paul Cohen, Town Manager

6:45pm
Chairman Chase called the meeting to order and outlined the Leadership Team meeting schedule.

Ambulance Study Group:
Chairman Chase distributed handouts regarding the Ambulance Study Committee. Chairman Chase wanted to begin the discussion and asked for comments from the Board. Chairman Chase clarified that the guidelines handed out were a working document. Selectman Jeannotte asked about the impact on Collective Bargaining and felt that was missing from the guidelines, as well as the overtime implications of a Town Run Ambulance. Chairman Chase felt the Ambulance Committee should look at the positive and negative impact of a Town Run Ambulance.

Selectman Wojtas suggested flushing out the terms listed in the guidelines sheet and noted the short timeline. Selectman Jeannotte stressed the importance of having all members of the committee be residents of the Town. Selectman Wojtas agreed that all members should be residents. Mr. Cohen pointed out that you did not have to be a resident to be a stakeholder in the community.

Chairman Chase stated that he felt seven (7) members would be fine. Selectman Eliopoulos suggested majority would rule on who would b voted onto the committee. Chairman Chase noted the timeline was in line with the extension of the private provider in Town. Selectman Jeannotte noted that all applications and résumés needed to indicate any affiliations (public/private) with fire or ambulance.

Warrant Articles:
Chairman Chase asked the Board what their positions were on Article 17, Article 18 and Article 19. The Board agreed not to support Article 17, 18 and 19.

Motion: Selectman Eliopoulos made a motion to adjourn at **7:15pm.** Selectman Jeannotte seconded the motion. Motion unanimously carried.

Respectfully submitted,

Patrice Garvin

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA
October 29, 2007

Town Offices
50 Billerica Rd.

7:00 p.m. Call to Order

Public Service Announcements

-

Open Session

-

Scheduled Business

7:30 p.m. Don Stevens – Retiree Health Insurance

7:35 p.m. Marian Currier, Rotary Club Fundraiser – One Day Beer & Wine License

7:40 p.m. Fish Bones – Change to All Alcohol License

7:45 p.m. Silva's Garage – Class 2 Auto License

7:50 p.m. Moonstones – Continued Public Hearing

7:53 p.m. Country Club USA – Extension of Hours on 11/21/07

7:55 p.m. Café Madrid – Continued Public Hearing

7:57 p.m. Village Grille – Continued Public Hearing

8:00 p.m. Board of Assessors, Tax Classification Hearing – Public Input

8:15 p.m. Darlene Lussier - 1st Quarter FY08 Financial Report

Town Manager Bids/Contract Awards

- Gasoline & Diesel Fuel

Town Manager Appointments

Town Manager Reports

***** This meeting is televised. *****

BOS Meeting Minutes

- BOS Regular Meeting Minutes – 9/24/07
- BOS Joint Meeting Minutes – 10/3/07
- BOS Work Session Minutes – 10/9/07

Unscheduled Business

-
-
-

Selectman Referrals

Press Questions

Executive Session

Next Regular Meeting: November 19, 2007

TOWN OF CHELMSFORD
BOARD OF SELECTMEN MINUTES
Monday, October 29, 2007
50 Billerica Rd, Chelmsford

Attending:
Samuel Chase, Selectman Chairman
Philip M. Eliopoulos, Selectman Vice Chair
Clare Jeannotte, Selectman Clerk
Patricia Wojtas, Selectman
William F. Dalton, Selectman
Paul Cohen, Town Manager

7:04pm
Chairman Chase called the meeting to order.

Open Session:

1. Tom Christiano, resident-6 Drew Circle commented on the Thanksgiving Forest celebration on Wednesday, November 21st at 2:30pm.
2. Fred Marcks commented on the ballot initiative to repeal 40B. Mr. Marcks thanked the Board for their efforts and noted that municipalities have been proactive on affordable housing.

Don Stevens- Retiree Health Benefits:
Mr. Stevens commented that prior to the adoption of Ch. 32b Section 18 by the Town, the retirees had a choice of plans, and that their costs now are higher. Mr. Stevens requested help from the Town on Medicare Part B. Selectman Jeannotte asked if the retirees were aware that Section 18 would require retirees to pay the full premium. Mr. Stevens replied that the retirees were aware of the payment required. Selectman Jeannotte appreciated Mr. Stevens' concern but noted that the Town was facing serious deficits.

Marian Currier, Rotary Club Fundraiser, One Day Liquor License:
Ms. Currier requested a One Day Liquor License for November 9th Rotary Fundraiser.

Motion: Selectman Eliopoulos made a motion to approve a Beer and Wine license to the Rotary Club Fundraiser on November 9th at the Senior Center from 7pm-11:30pm. Selectman Jeannotte seconded the motion. Motion carried.

Approval of Minutes:

Motion: Selectman Eliopoulos made a motion to approve the regular session minutes of September 24, 2007. Selectman Jeannotte seconded the motion. Motion carried. (Dalton abstained)

Motion: Selectman Eliopoulos made a motion to approve the Joint session minutes of October 3, 2007. Selectman Jeannotte seconded the motion. Motion carried. (Dalton abstained)

Motion: Selectman Eliopoulos made a motion to approve the work session minutes of October 9, 2007. Selectman Jeannotte seconded the motion. Motion carried. (Dalton abstained)

Town Manager Appointments/Awards:

1. *Holiday Decorating Committee*: Mr. Cohen requested that the Holiday Decorating Committee be appointed.

Motion: Selectman Eliopoulos made a motion to appoint the following individuals to the Holiday Decorating Committee: Sharon and Ken Kydd-Chairs, Joanne and Joe Flanagan, Iris and Larry Larson and Nancy Prentice. Selectman Jeannotte seconded the motion. Motion carried.

2. *Gasoline and Diesel Fuel Award:*

Motion: Selectman Eliopoulos made a motion to approve the award of the gas and diesel fuel bid to Dennis K. Burke, prices set forth in the October 22, 2007 memorandum. Selectman Jeannotte seconded the motion. Motion carried.

Town Manager Reports:

1. Mr. Cohen reported that the Intersection at Kate's Corner is being studied. A meeting is planned with the neighborhood and a sketch is being developed to square off the intersection.
2. Mr. Cohen reported that a meeting will be held on November 7th with representatives from Verizon to discuss the suppression of the utilities in the Town Center.
3. Mr. Cohen reported that there have been complaints concerning outside events that have been sponsored by the Big Kahuna. Mr. Cohen noted that the Town is following up with the zoning and licensing of the establishment.
4. Mr. Cohen reported that the motorcycle complaint made by a Warren Ave. resident was followed-up on and there was no noise violation.
5. Mr. Cohen reported that a copy of the budget schedule would be discussed at the Board's next work session.

Fishbones, Change of Alcohol License:

Dennis McHugh, representing Ali Reza owner of Fishbones requested a full alcohol license from the Board. All abutters have been notified and there are no physical changes to the establishment. Chairman Chase asked if there was anyone present to speak for or against the license.

Motion: Selectman Eliopoulos made a motion to close the public hearing. Selectman Jeannotte seconded the motion. Motion carried.

Motion: Selectman Eliopoulos made a motion to continue the public hearing for an all alcohol license to Fishbones to the November 19, 2007 regular Board meeting at 7:40pm; in compliance with the Board's two week waiting period for any alcoholic license. Selectman Jeannotte seconded the motion. Motion carried.

Silvia's Garage, Class II Auto License:

Pam Meager of Haverhill requested a Class II Automobile License for twenty (20) vehicles. Mr. Cohen noted that the building inspector and police chief are fine with the license.

Motion: Selectman Eliopoulos made a motion to approve a Class II Auto Dealer License to Pam Meagher, DBA Silva's Garage on 160 Middlesex Street, North Chelmsford for a twenty (20) vehicles. Selectman Jeannotte seconded the motion. Motion carried.

Moonstones Continued Public Hearing for All Alcohol License:

Motion: Selectman Eliopoulos made a motion to approve an All Alcoholic License and Common Victualer Restaurant License to KMP Restaurant Group Inc., DBA Moonstones, to Steve Simone, located on 185 Chelmsford Street; hours of operation weekdays 8:00am-1:00am and Sundays 9:00am – 1:00am. Selectman Jeannotte seconded the motion. Motion carried.

Café Madrid, Continued Public Hearing for a Beer & Wine License:

Lawrence Fadjo as Manager requested a Beer and Wine license.

Motion: Selectman Eliopoulos made a motion to approve a Beer and Wine license to Café Madrid, located at 28 Alpine Lane Lawrence Fadjo as Manager; hours of operation weekdays 7:00am-11:00pm and Sundays 8:00am – 10:00pm. Selectman Jeannotte seconded the motion. Motion carried.

Village Grille, Continued Public Hearing for a Beer & Wine License:

Pauline Curtis requested a Beer and Wine license.

Motion: Selectman Eliopoulos made a motion to approved a Beer and Wine license to Village Grille LLC, located at 1 Central Square to Pauline Curtis; hours of operation 6:00am- 11:00pm seven days a week. Selectman Jeannotte seconded the motion. Motion carried.

Board of Assessors, Tax Classification Hearing:

Chairman Chase noted that after the presentation the public would be allowed to comment. Frank Reen, Chief Assessor explained the process and submission requirements of the Department of Revenue (DOR) prior to their certification of the town's tax rate. Mr. Reen reported that in this latest analysis period, residential sales prices were close to market rates and that multi families were up in value, while other residential properties were down 4-5% overall. Mr. Reen gave a historical review of the shift in the tax levy and referred the Board to the spread sheet indicating the residential and commercial property tax rate history Mr. Reen commented on how the Town has historically not adopted the small business commercial exemption due to lack of these types of businesses. Chairman Chase asked if there was anyone present who wanted to speak on tax classification.

Questions from the Board

Selectman Dalton asked how the new Assessors were performing. Mr. Reen noted that the new Assessors are workingout very well. Selectman Jeannotte asked what would send a case to the Appellate Tax Board. Mr. Reen replied that denied or abated cases are

brought to the next level. Mr. Reen Explained the process and identified the factors that contribute to determining the maximum percentage rate shift that a town can adopt. Selectman Eliopoulos asked if responses from commercial property owners relative to completing annual income and expense forms had improved. Although there has a been a slight improvement in responses, Mr. Reen stated that the maximum $50 fine set by the State is not high enough to compel commercial property owners to submit the forms. Mr. Reen suggested that commercial property owners may be under the impression that sending in the forms could result in a higher valuation for their specific property. Mr. Reen indicated that this is a common misconception. In reality the forms are used to establish regional market income and expense data, which is then used in valuing specific commercial properties (income method). Mr. Reen indicated that in fact, increased compliance would add to the data pool and might result in more accurate property assessments, ultimately benefiting commercial property owners.
Chairman Chase asked what position the Board of Appeals has taken on Class Two (2) exemptions. Mr. Reen replied that the exemptions are geared towards certain communities. Chairman Chase requested that the information presented by Mr. Reen be sent by e-mail to the Board. Selectman Jeannotte asked about the size of land in relation to total property value. Mr. Reen explained how land value is determined. Chairman Chase noted that the Board vote on Tax Classification would be held on November 19th.

Motion: Selectman Eliopoulos made a d motion to close the Tax Classification public hearing, with a vote to be scheduled for the November 19th regular Board Meeting. Selectman Jeannotte seconded the motion. Motion carried.

Darlene Lussier, 1st Quarter FY08 Financial Report:

Ms. Lussier, Town Accountant noted that MUNIS has an updated program which the Town will start using. Ms. Lussier discussed projected revenue and expenses. Ms. Lussier commented on the revenue including Hotel Tax, school reimbursements, state Aid and FEMA reimbursements. Ms. Lussier stated that the largest expense for the Town was personnel and insurance costs. Mr. Cohen commented that the Board needed to discuss what type of reporting they would like to see on an ongoing basis. Selectman Jeannotte asked about the MIAA insurance costs. Mr. Cohen stated that the rates were just released. Ms. Lussier noted that the Fiscal 2007 audit has been completed and a report would be out to the Board soon.

Country Club USA, Extension of Hours:

Motion: Selectman Eliopoulos made a motion to approve the extension of hours for the Country Club USA located 67 Parkhurst Road, on November 21, 2007 from 1:00am to 2:00am. Selectman Jeannotte seconded the motion. Motion carried.

Selectman Referrals:

Selectman Dalton made the following referral(s):

1. Selectman Dalton was concerned with activity he had witnessed at the UMASS West Campus and asked Mr. Cohen to follow-up.

Selectman Eliopoulos made the following referral(s):

1. Selectman Eliopoulos commented on the Slow Growth Initiative meeting and asked the board to consider asking LIP applicants to do more than the minimum the law requires. Selectman Eliopoulos suggested taking another look at the Board's LIP Policy. Selectman Jeannotte suggested developers reporting more on their profits when applying. Selectman Dalton pointed to developments like Robin Hill and how they add to the Town.

Selectman Jeannotte made the following referral(s):

1. Selectman Jeannotte commented on the MCAH Affordable Housing Panel Discussion recently attended with Selectman Wojtas and Mr. Cohen. She wondered if the town should join MCAH. Mr. Cohen will request hat on November 19th Josh Degen, Groton Selectman would present on the Affordable Housing Initiative by MCAH. Discussion ensued concerning the panel and when to have it and who to invite.
2. Selectman Jeannotte asked for a timeframe on the Fire/DPW RFP process.
3. Selectman Jeannotte asked about receiving an attendance report from Town Meeting.

Selectman Wojtas made the following referral(s):

1. Selectman Wojtas commented that Donald Van Dyne is the new FinCom chair.
2. Selectman Wojtas asked when the Town's Veteran's Day Celebration would be conducted and if it could be posted on the web page.

Chairman Chase made the following referral(s):

1. Chairman Chase commented on his testimony at the State House concerning 40B.
2. Chairman Chase stated that the Leadership Team had been meeting weekly and that a timeline for developing and presenting the FY09 budget is being discussed. Chairman Chase commented that he is pleased with the effort the school and Board have been making. Chairman Chase asked the Board to establish two permanent positions on the Leadership Team. The Board felt it was a good idea to have two permanent Board members in place for scheduling and continuity. Selectman Jeannotte volunteered to be the second Board member the Leadership Team. Selectman Dalton suggested a 3 month assignment.

Press Questions:

none

Motion: Selectman Dalton made a motion to adjourn at **9:35pm.** Selectman Jeannotte seconded the motion. Motion unanimously carried.

Respectfully submitted,

Patrice Garvin

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA
Work Session
Tuesday, November 6, 2007

Town Offices
50 Billerica Rd.

5:30 p.m.	**Call to Order**	
	Scheduled Business:	
5:35 p.m.	**Regina Jackson - Veteran's Day Activities 11/11 at 11:00 am** **Veteran's Day Proclamation**	*Tab 1*
5:40 p.m.	**St John The Evangelist – One Day Beer and Wine License 11/17/07**	*Tab 2*
5:45 p.m.	**Café Madrid – Additional seating**	*Tab 3*
5:50 p.m.	**Corner of Billerica Road & Elliot Street – "Kinney Square"**	*Tab 4*
5:55 p.m.	**CHOICE Village at North Chelmsford**	*Tab 5*
	Town Manager Reports:	*Tab 6*

- **Roadway Safety Improvements for the Intersection of Acton & Maple Roads**
- **Town Center Underground Utility Project**
- **Economic Development Coordinator Contract for Scope of Work**

BOS Appointments to Ambulance Study Committee *Tab 7*

Unscheduled Business

Selectman Referrals

Next Regular Meeting: Monday, November 19, 2007

***** This meeting is not televised. *****

TOWN OF CHELMSFORD
BOARD OF SELECTMEN MINUTES-Work Session
Tuesday, November 6, 2007
50 Billerica Rd, Chelmsford

Attending:
Samuel Chase, Selectman Chairman
Philip M. Eliopoulos, Selectman Vice Chair
Clare Jeannotte, Selectman Clerk
Patricia Wojtas, Selectman
William F. Dalton, Selectman
Paul Cohen, Town Manager

5:35pm
Chairman Chase called the meeting to order.

Regina Jackson, Veteran's Agent- Veteran's Day Events:
Regina Jackson stated that Veteran's Day Activities would be held on November 11th at 11:00am in Veteran's park.

St. Johns, The Evangelist, One Day Liquor License:

Motion: Selectman Eliopoulos made a motion to approve a One Day Liquor License for St. Johns Church on November 17, 2007 from 3:00pm to 11:00pm. Selectman Jeannotte seconded the motion. Motion carried.

Café Madrid, Additional Seating:

Motion: Selectman Eliopoulos made a motion to approve additional seating at Café Madrid. Selectman Jeannotte seconded the motion. Motion carried.

Economic Development Coordinator, Contract and Scope of Services:
Mr. Cohen introduced Tom Galligani as the new Economic Development Coordinator for the Town. Mr. Cohen explained the duties Mr. Galligani would be responsible for and asked Mr. Galligani to say a few words.

Mr. Galligani stated that he has worked for many towns and believes he would be a very good fit for Chelmsford. Mr. Evan Belansky noted that the goal is to establish a baseline analysis to be able to engage new businesses. A survey is also being developed as a way to get feedback and create an economic strategy. Mr. Belansky noted that this process could take up to nine months.

Motion: Selectman Eliopoulos made a motion to approve the Town Manager contract award for an Economic Manager to Tom Gallagani. Selectman Jeannotte seconded the motion. Motion carried.

Choice Village, N. Chelmsford:
Mr. Cohen updated that Board that there are no concerns with the development behind the Senior Center. David Hedison is being invited to present an update on the project to the Board of Selectmen.

Center Underground Utilities Project:

Mr. Cohen stated that he along with Selectman Wojtas and Mr. Belansky met with Verizon representatives to discuss the Center project. He provided a brief overview of the funds spent to date, and is requesting additional information. Mr. Cohen explained that Verizon proposed phases to the project and in the first phase they would bury North Road and Academy. The second phase they would bury wires in the center commercial area. The final stage would then be the tails if the Town decided to continue with the project. Mr. Cohen noted that doing it this way would result in the completion of the Center with just the outlying areas undone, and the Town could reevaluate at that time. Mr. Cohen stated that the first and second phase would take three years each to complete. Mr. Cohen added that the National Grid surcharge could end immediately, and that there is no need to continue seeking remaining easements at this time, as those needed to complete the first and second phase are in place. Mr. Cohen stated that he was awaiting clarification from Town Counsel on the surcharge issue.

FY09 Budget Build-out:

Mr. Cohen noted a 4.6 million dollar shortfall with the budget after receiving submissions from all Town departments. Mr. Cohen distributed a handout to the Board indicating mandatory expenses for the Town and then listed each department and their requested budgets. Mr. Cohen stated that the school department was looking for a 9% increase. Mr. Cohen went through each line item and explained to the Board increases to departments. Selectman Jeannotte requested that the document be sent to the Board electronically. Mr. Cohen stated that at the joint meeting he hoped to have a detailed handout from the schools.

Mr. Cohen suggested combining certain administrative operations within the Town to cut costs. Mr. Cohen noted that there are some areas that could be consolidated and could be discussed by the Board and the school department. Mr. Cohen outlined the joint meeting schedule with the Board of Selectmen, FinCom and the School Committee.

Selectman Wojtas continued to take notes……

Selectman Jeannotte asked if income received from the Chelmsford Forum and the Country Club can be increased. It was noted that interest in golf has waned in recent years, so revenue probably will not increase significantly in the near future. Selectman Eliopoulos asked if more revenue might be generated by selling the facility. Revenue from the Forum, which is held in a revolving account, has been increasing. There are several capital projects at the Forum that will need to be addressed in the foreseeable future. However, they will probably be able to be funded at least partially by that revolving fund.

Selectman Jeannotte asked if the board wanted to take a position on other potential revenue-generating options, such as increasing the hotel tax, or closing the 'telecommunications tax loophole'. Selectman Wojtas stated that during a recent meeting

with Representative Cory Atkins, she asked that the board send letters to the legislative delegation, the House Speaker, and the governor regarding issues of interest to the town.

Veterans Day:

It was decided that Selectman Wojtas will speak at the Veterans Day ceremony to be held at the Veterans Memorial. Chairman Chase will read the proclamation. The entire board will participate in the wreath-laying.

> **Motion:** Selectman Dalton made a motion to name the intersection of Billerica Road and Elliot St. 'Kinney Square' after the family of brothers who served in World War II. Selectman Jeannotte seconded the motion. Motion carried. If possible, the square will be dedicated on Veterans Day.

Acton Rd/Maple Rd Intersection:

Mr. Cohen presented the proposed reconfiguration for the intersection of Acton Road and Maple Road (Kate's corner) in South Chelmsford. The proposal was presented to the abutters last week.

> **Motion:** Selectman Wojtas made a motion to approve the plan dated November 6, 2007 for installation of Stop signs at the intersection. Motion carried.

Ambulance Study Committee:

The requirements for consideration to the ambulance study committee were reviewed: applicant must be a Chelmsford resident or work in the town; must have no conflict of interest regarding the Chelmsford Fire Department or potential EMS service providers.

Selectman Wojtas suggested that based on the number of applicants, the committee size be expanded to 9. Other board members agreed to that change.

Chairman Chase suggested that one of the applicants, who is not a town resident, and does not work in town, be assigned as a non-voting consultant to the committee. Selectman Wojtas stated that the committee should be free to recruit any consultants they see fit. Selectman Jeannotte noted that the committee may want to recruit subject matter experts with varying backgrounds, experience, and interests. It was agreed that the resume and other contact information for that applicant be forwarded to the committee for their use, but that he not be assigned a position on the committee by the board.

The board then appointed the following nine members to the committee:
Daniel Burke
Deidre Connolly
Thomas Fleming
John Thibault
John Demers
John Stansfield
Shaun Dean
Steven Normandin
James Sullivan

Affordable Housing Forum:
Selectman Jeannotte announced that the Affordable Housing Forum will be held at the Performing Arts Center (Chelmsford High) on Thursday evening, November 29 from 7:00 to 9:00PM. Residents and officials from the towns of Chelmsford, Westford, Tewksbury, Tyngsboro, and Billerica will be invited to attend. The panel will consist of:

Geoffrey Hall, State Representative, Westford and Chelmsford
William Greene, State Representative, Billerica
Tina Brooks, Mass. Dept. of Housing and Community Development
Town Counsel (to be named)
Selectman Eliopoulos will act as moderator.

Robin Hill Property:
Selectman Wojtas spoke of a conversation with Bob Morse regarding the property on Robin Hill and Acton Roads, being purchased with CPA funds. Mr. Morse suggested setting up a work group to monitor the condition and uses of the property, including leases. Further discussion was tabled until the transaction is completed, and more information is gathered regarding the need for such a work group.

Motion: Selectman Eliopoulos made a motion to adjourn at **9:50pm.** Selectman Jeannotte seconded the motion. Motion unanimously carried.

Respectfully submitted,

Patrice Garvin

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA
November 19, 2007

Town Offices
50 Billerica Rd.

7:00 p.m. Call to Order

Public Service Announcements

- **Proclamation - Chelmsford League of Women Voters**
- **Holiday Prelude – Sharon & Kenny Kydd**

Open Session

-

Scheduled Business

7:30 p.m. Dog Hearing – Christopher Rodrigues, 10 Berkeley Drive

7:40 p.m. Fish Bones – Public Hearing Continued

7:43 p.m. Thai Jasmine – Change of Manager

7:45 p.m. Pole Petition(s)
- Main Street
- Grace Street

7:50 p.m. Acceptance of Public Ways
- Pinewood Road
- Evan's Way
- Morning Glory Circle

7:55 p.m. Roadside Vendor Applications
- Central Congregational Church
- Gregory Spring – 55 Graniteville Rd

8:00 p.m. Tax Classification Vote

8:05 p.m. David Hedison – Choice Village, No. Chelmsford

8:20 p.m. Douglas Hausler – Hillside Gardens

8:25 p.m. Josh Degen – Mass Coalition for Affordable Housing

***** This meeting is televised. *****

Town Manager Appointments

- Community Action Grant Committee
- Acting Treasurer / Tax Collector

Town Manager Reports

- Town Center Underground Utility Update

BOS Meeting Minutes

- BOS Regular Meeting Minutes 10/15/07
- BOS Regular Meeting Minutes 10/29/07

Unscheduled Business

- Stipends for Town Officials
- Ambulance Study Review Committee Mission Statement

Selectman Referrals

Press Questions

Executive Session

Next Regular Meeting: December 3, 2007

TOWN OF CHELMSFORD
BOARD OF SELECTMEN MINUTES
Monday, November 19, 2007
50 Billerica Rd, Chelmsford

Attending:
Samuel Chase, Selectman Chairman
Philip M. Eliopoulos, Selectman Vice Chair
Clare Jeannotte, Selectman Clerk
Patricia Wojtas, Selectman
William F. Dalton, Selectman
Paul Cohen, Town Manager

7:04pm
Chairman Chase called the meeting to order.

PSA's:

1. Selectman Jeannotte wanted to remind the public of the Affordable Housing Forum on November 29th at the Chelmsford Auditorium.
2. Sharon and Kenny Kydd reminded the public that on December 2nd the Holiday Prelude from 4pm-6pm.

Open Session:

1. Dick Defreitas, resident-61 Saint Andrews Way commented on the Chelmsford Business Association Scholarship Committee and that scholarships are available to any senior at Chelmsford High, Innovation Academy Charter, or Nashoba Tech with a goal of giving out $5,000 a year.
2. David Cranby of the Greater Lowell Community Foundation President was invited to present his endowment organizations. Mr. Cranby gave a history of the organization and that it supports Chelmsford.
3. Fred Marcks updated the Board on the repealing of 40B effort in the state.
4. Barbara Bunn asked if residents would be able to address the Board during the Hillside Gardens discussion. Chairman Chase stated that public comments would be welcome.
5. Philip Stanway updated the Board on the Town's Steward Program.

Dog Hearing, Christopher Rodrigues, 10 Berkeley Drive:
Eric Merrill, Animal Control Officer stated that complaints concerning the two dogs go back to 2004. Mr. Merrill stated that a twelve year old girl and a twenty five year old jogger were bitten on the same day. Mr. Merrill proceeded to outline the bite history of the two dogs and noted complaints have been filed and the owner had been contacted. The dogs have never been licensed or received required shots, did not go through a mandatory quarantine after the bite incidents and fines have not been paid. Mr. Merrill stated that the dogs were a threat and should be banished or euthanized.

Christopher Rodriques, dog owner noted that there have been biting issues in the past but that the dogs have been going through a separation from the owner's children. Mr. Rodriques was unsure of the paperwork because he stated he only received one complaint. Mr. Rodriques asked that the dogs not be put down but be banished and that he had possible placement. It was suggested that the owner have thirty days to find a new home for the dog. Selectman Dalton stated that the owner should only be given a week.

Residents:

1. Carol Anderson of Rhode Island was bitten by the dog. Ms. Anderson stated that she has been through a great deal.
2. Jack Bolger, resident-3 Lafayette Terrace has contacted Mr. Rodriques who assured him the dog had all of its shots.
3. Karen DeDonato, Resident-Archibald Way has complained over the years concerning the barking but noted that Mr. Rodriques was a good neighbor.

The Board discussed how long Mr. Rodriques should have until he has to find shelter for the dog and what would happen if the dogs were to get out.

Motion: Selectman Eliopoulos made a motion to approve to ban two dogs of owner Christopher Rodriquez, on 10 Berkeley Drive from the Town of Chelmsford in fourteen (14) days; to be accompanied outside only with owner and muzzled and to have the gate barricaded. If any of the provisions are violated the dogs will be removed immediately. The owner also has to pay all fines due to the Town of Chelmsford. Selectman Jeannotte seconded the motion. Motion carried.

Fish Bones, Public Hearing Continued:

Mr. McHugh, representing the owner of Fishbones addressed the Board.

Motion: Selectman Eliopoulos made a motion to approve an All Alcohol license to Fish Shops Inc. d/b/a Fishbones, 34 Central Square, 6 Boston Road. Selectman Jeannotte seconded the motion. Motion carried.

Thai Jasmine, Change of Manager:

Thai Jasmine requested a change of manager.

Motion: Selectman Eliopoulos made a motion to close and continue the public hearing for a change of manager to Thai Jasmine to December 3rd regular Board meeting after 7:30 p.m.; adhering to the Boards two week alcohol policy. Selectman Jeannotte seconded the motion. Motion carried.

Pole Petition, Main and Grace Street:

Joe Gleason addressed the Board and asked for approval for 75 feet of underground conduit on Main Street.

Motion: Selectman Eliopoulos made a motion to close and approve seventy five (75) feet of underground conduit Plan No. 2 on Main Street, dated October 22, 2007. Selectman Jeannotte seconded the motion. Motion carried.

Mr. Gleason asked the Board to approve a new pole on Grace Street.

Motion: Selectman Eliopoulos made a motion to close and approve a new pole # 193/3 between 8 and 10 Grace Ave located between the fire hydrant and Maple tree. Selectman Jeannotte seconded the motion. Motion carried.

Central Congregational Church Roadside Vendor:

Dick Pappenfuss requested a roadside vendor license to sell holiday greens.

Motion: Selectman Eliopoulos made a motion to approve a roadside vendor permit to Central Congregational Church, 1 Worthen Street for the purpose of selling Christmas trees and wreaths from November 24th –December 16th from 9am-9pm. Selectman Jeannotte seconded the motion. Motion carried.

Gregory Spring, 55 Graniteville Rd, Roadside Vendor:

Motion: Selectman Eliopoulos made a motion to approve a roadside vendor permit to Gregory Spring, 34 Pinehill at Sully's on 55 Graniteville Rd for the purpose of selling Christmas Trees and wreaths from December 1st – December 24th, from 9am-9pm. Selectman Jeannotte seconded the motion. Motion carried.

Application of Public Ways:

1. *Pinewood Road-*

Motion: Selectman Eliopoulos made a motion to approve Pinewood Rd as a public way for the Town of Chelmsford. Selectman Jeannotte seconded the motion. Motion carried.

2. *Evan's Way-*

Motion: Selectman Eliopoulos made a motion to approve Evan's Way as a public way for the Town of Chelmsford. Selectman Jeannotte seconded the motion. Motion carried.

3. *Morning Glory Circle-*

Motion: Selectman Eliopoulos made a motion to approve Morning Glory Circle as a public way for the Town of Chelmsford. Selectman Jeannotte seconded the motion. Motion carried.

Tax Classification Vote:

Frank Reen addressed the Board and asked if there were any questions. Chairman Chase congratulated Mr. Reen and his staff on the improvement in the assessment process.

Motion: Selectman Eliopoulos made a motion to approve the tax rate for commercial, residential and industrial properties at a single tax rate for all property types with no commercial or residential exemptions or an open space discount. Selectman Jeannotte seconded the motion. Motion carried.

Chairman Chase commented on the history of the tax shift of the Town. Chairman Chase gave an example of the impact of tax shifting on a residential vs. commercial property that are both assessed at the same value.

Departure of Kerry Speidel, Finance Director:

Chairman Chase recognized Kerry Speidel for all of her good work in the Town, and wished her well in her new position with the town of Lunenburg.

Douglas Hausler, Hillside Gardens:

Mr. Hausler notified the Board that a new developer has taken over the Hillside Garden development. Mr. Emanuel has a history in Town and is well respected. Mr. Hausler stated that Mr. Emmanuel's ownership of the project gives the opportunity for a new start. Mr. Hausler stated that the plans are the exact same as the ones the board approved under the previous owner. Mr. Hausler indicated that it is the developer's intent to schedule a meeting with Chamberlain Road residents as soon as it is practical. Mr. Hausler stated that the next step is the ZBA in two months.

Abutters:

1. Joseline Demeuth, resident-Chamberlain Rd. questioned the endorsement of the Board under a new owner and requested that the Board request a new Proforma from the new owner.
2. Barbara Bunn, resident-Chamberlain Rd. asked about a thirty day period residents were able to make comments. Mr. Cohen replied that the Town had thirty days to make comments to the DHCD and that residents should contact that office.
3. Christine Ingalina, resident-Chamberlain Rd. noted her personal lawsuit with the project and stated she would not meet with the new developer without her lawyer present.
4. Fred Marcks, paid advocate of the Repeal 40B suggested that the LIP Process be changed in Town. Mr. Marcks noted that a new Proforma should be submitted.

Town Manager Appointments:

1. *Community Action Grant Committee-*

Motion: Selectman Eliopoulos made a motion to approve appointments to the Community Action Grant Committee of the following: Peter Bagni, James Clancy, Eric Groves, Beverly Koltookian, Denise Marcaurelle, Deborah Villano, Jane Gibson, and Kellie Hebert as a non voting member. Selectman Jeannotte seconded the motion. Motion carried.

2. *Acting Treasurer/Tax Collector*- Mr. Cohen stated that the position has been advertised and that interviews will be held soon.

Motion: Selectman Eliopoulos made a motion to approve Carol Lambert as the Interim Town Finance Director for a six (6) week period. Selectman Jeannotte seconded the motion. Motion carried.

Town Manager Reports:

1. Mr. Cohen reported on the status of the Underground Utility Project in the Center. Mr. Cohen explained that Verizon proposed phases to the project and in the first phase they would bury North Road and Academy. The second phase they would bury wires in the center commercial area. The final stage would then be the tails if the Town decided to continue with the project. Mr. Cohen noted that doing it this way would result in the completion of the Center with just the outlying areas

undone, and the Town could reevaluate at that time. Mr. Cohen stated that the first and second phase would take three years each to complete. The discussion of the suspension of the National Grid surcharge was discussed but Chairman Chase noted that the discussion should continue at the next Board meeting to allow for more time to follow-up.

2. Mr. Cohen reported that the next Joint meeting with the School Committee and FinCom would be on December 10th to discuss the FY09 Budget. Mr. Cohen stated that he would keep the Board updated on the budget process.
3. Mr. Cohen reported that the work for FY08 appraisals would be completed by next week.
4. Mr. Cohen reported that the changes made to the Charter would be available on-line.
5. Mr. Cohen reported that the safety in the schools plan is being worked on and should be ready for Town Meeting.
6. Mr. Cohen reported on a ribbon cutting ceremony held by Circles.

Approval of Minutes:

Motion: Selectman Eliopoulos made a motion to approve the October 18, 2007 and October 29, 2007 regular meeting Minutes. Selectman Jeannotte seconded the motion. Motions carried. (Mr. Dalton abstained for 15th)

Motion: Selectman Eliopoulos made a motion to approve the October 15, 2007 regular meeting Minutes. Selectman Jeannotte seconded the motion. Motions carried. (Mr. Dalton abstained)

Stipends for Town Officials:

Chairman Chase asked if action should be taken on the report given by the Stipend Committee. Selectman Eliopoulos' only concern was those elected officials that have not finished their term having their insurance taken. Selectman Eliopoulos suggested that those officials should receive benefits until their elected term has concluded. Chairman Chase deferred any vote until the December 3rd meeting.

Ambulance Study Committee:

Chairman Chase stated that there were twenty six applicants to the Ambulance Study Committee and that a temporary chair will be John Thibault. The first meeting has been scheduled for November 28th. Chairman Chase stated that a mission statement and timeline has been drafted and circulated to the rest of the Board. Selectman Wojtas suggested that the committee should determine what resources and expected revenue would be given the Town if a Town run ambulance was proposed. Selectman Eliopoulos suggested that public input sessions be placed in the mission statement.

Motion: Selectman Eliopoulos made a motion to approve the Town Ambulance Study Committees' Mission Statement. Selectman Jeannotte seconded the motion. Motion carried.

Selectman Referrals:

Selectman Dalton made the following referral(s):

1. Selectman Dalton commented on the Department Youth Services facility at the U Lowell West Campus and that he would like to be part of the process that is set up by the residents who are watching the facility.
2. Selectman Dalton commented on the Veteran's Day activities.

Selectman Eliopoulos made the following referral(s):

1. Selectman Eliopoulos commented that he would like an update on where the Town Manager is with goals and objectives.
2. Selectman Eliopoulos suggested looking into the idea of a new Proforma for Hillside Gardens.
3. Selectman Eliopoulos reminded the residents of the upcoming Affordable Housing Forum on November 29h.
4. Selectman Eliopoulos reported that there was a preliminary commitment to place sound barriers for residents at Waterford Place.

Selectman Jeannotte made the following referral(s):

1. Selectman Jeannotte commented on the agreement between the Town and Comcast and if there was any opportunity for improvement.
2. Selectman Jeannotte asked about the recent issues at the Cranberry Bog, reported by Town Stewards who watch the site. Mr. Cohen stated that the Chief is aware of the situation and would keep the Board informed.
3. Selectman Jeannotte requested that the Board take up the recent recommendations from the Solid Waste Recycle Task Force.

Selectman Wojtas made the following referral(s):

1. Selectman Wojtas commented on the bus from Vinal Square to the Pheasant Lane Mall during the month of December.
2. Selectman Wojtas briefly commented on the LRTA retirement party.

Chairman Chase made the following referral(s):

1. Chairman Chase referred a letter received from residents in North Chelmsford to the Town Manager.

Press Questions:

Rita Savard, of the Lowell Sun asked the following questions:

1. What the name of the Youth Center and were it was located. Selectman Dalton replied that it was the CARES program on 255 Princeton Street.
2. When the vote on health insurance stipend would be. Chairman Chase replied the vote would take place on December 3rd.
3. Asked about the bog site Selectman Jeannotte was referring to. Chairman Chase referred Ms. Savard to the Town Steward, Philip Stanley for further details.

Motion: Selectman Dalton made a motion to adjourn at **10:25pm.** Selectman Jeannotte seconded the motion. Motion unanimously carried.

Respectfully submitted,

Patrice Garvin

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA
December 3, 2007

Town Offices
50 Billerica Rd.

7:00 p.m. Call to Order

Public Service Announcements
- **Proclamation – James P. Good**

Open Session

Scheduled Business

7:30 p.m. Thai Jasmine – Change of Manager Continued

7:35 p.m. Transfer Beer & Wine License - Urban Café to Tango Grille
Public Hearing

7:40 p.m. One Day All Alcohol License – Saint Vartanantz, December 31

7:45 p.m. Pole Petition(s)
- Westford Street

7:50 p.m. Acceptance of Public Ways
- Buttercup Lane

7:55 p.m. Police Chief Jim Murphy - Kevin, Jeanie & Shea McDonough

8:00 p.m. David Hedison – Choice Village, North Chelmsford

8:15 p.m. Josh Degan – Mass Coalition for Affordable Housing

Town Manager Bids/Contract Awards
- HVAC

Town Manager Reports
- Town Center Utility Update
- Removal of Kevin Goddu from Historical Commission

*** **This meeting is televised.** ***

BOS Meeting Minutes

- BOS Work Session Minutes 11/6/07

Unscheduled Business

- 2008 Annual License Renewal
- Revoke Underground Storage License – Turnpike Properties, 200 Turnpike Road
- BOS Action Relative to Benefits for Elected, Stipended Officials
- BOS Goals
- Solid Waste / Recycling Committee Recommendations
- BOS Meeting Dates

Selectman Referrals

Press Questions

Executive Session

Next Regular Meeting: December 17, 2007

TOWN OF CHELMSFORD
BOARD OF SELECTMEN MINUTES
Monday, December 3, 2007
50 Billerica Rd, Chelmsford

Attending:
Samuel Chase, Selectman Chairman
Philip M. Eliopoulos, Selectman Vice Chair
Clare Jeannotte, Selectman Clerk
Patricia Wojtas, Selectman
William F. Dalton, Selectman
Paul Cohen, Town Manager

7:03pm
Chairman Chase called the meeting to order.

Public Service Announcement's:

1. Selectman Eliopoulos read a proclamation for James Good for all of his volunteer work and devotion to the Town of Chelmsford. Mr. Good appreciated the Boards words.

Open Session:

1. Barbara Bunn, resident-6 Chamberlain Road asked about the 30 day comment period for Hillside Gardens Development. Selectman Wojtas suggested revisiting the Board's LIP policy. Selectman Jeannotte suggested the town manager draft a letter to DHCD within the comment period, listing the conditions voted on by the Board.
2. Joseline DeMeuth, resident-24 Chamberlain Rd. stated that she reviewed a copy of the LIP application to DHCD in the Clerks office and that none of the conditions that were voted on by the Board were listed. Selectman Eliopoulos stated that the conditions were still binding under the new developer but would check into why they were not in the application. He recommended that a letter from the applicant be obtained indicating he will comply with the conditions.
3. Barbara Belanger, resident-Chamberlain Rd. asked for a copy of the endorsement letter and asked the Board to rescind their vote. Selectman Eliopoulos referred the issue of rescinding votes to Town Counsel. Selectman Eliopoulos added that the only way to rescind a vote is for cause.

Approval of Minutes:

Motion: Selectman Eliopoulos made a motion to approve the November 6, 2007 work session meeting minutes. Selectman Jeannotte seconded the motion. Motion carried.

Town Manager Awards/Contract:

Motion: Selectman Eliopoulos made a motion to approve the bid contract for HVAC to Johnson Controls for estimated $277,660 with a time period from

January 2008- June 2010; $84 per hour which remains the same through June 2008. Year 2 is $86 per hour and year 3 is $88 per hour. Selectman Jeannotte seconded the motion. Motion carried.

Thai Jasmine, Change of Manager *Continued*:

Motion: Selectman Eliopoulos made a motion to approve the change of manager to Thai Jasmine to Mr. Nick Kanti, located on 313 Littleton Road . Selectman Jeannotte seconded the motion. Motion carried.

Transfer Beer & Wine License, Urban Café to Tango Grille:

Diana Garcia, Nashua requested three separate licenses: a CV, Entertainment and Alcohol. Ms. Garcia stated that she is working on being TIPS certified.

Motion: Selectman Eliopoulos made a motion to approve a Common Victualer License to Diane Garcia, Tango Grille Café & Restaurant , Inc. to President Diane 21 Herrick St., Nashua, NH; hours of operation 5am-11pm Sunday – Sunday, seating capacity as on file. Selectman Jeannotte seconded the motion. Motion carried.

Motion: Selectman Eliopoulos made a motion to approve the Entertainment License, 12 Chelmsford Street Tango Grille Café & Restaurant, Inc., radio, TV cable and instrumental music for up to three pieces with no dancing. Selectman Jeannotte seconded the motion. Motion carried.

Motion: Selectman Eliopoulos made a motion to close and continued the Alcohol License to the Tango Grille Café & Restaurant, Inc, until the December 17, 2007 Board meeting. Selectman Jeannotte seconded the motion. Motion carried.

One Day All Alcohol License- Saint Vartanantz Church:

Motion: Selectman Eliopoulos made a motion to approve the one day all alcohol license for December 31, 2007 to St. Vartanantz, 6pm-midnight. Selectman Jeannotte seconded the motion. Motion carried.

Pole Petition:

Joseph Gleason, Verizon representative asked the Board to relocate a pole on Westford Street 40 ft east of where it exists currently for the purpose of accommodating a new subdivision. Mr. Gleason defined the term joint pole. Chairman Chase asked if there was anyone to speak for or against the petition.

Motion: Selectman Eliopoulos made a motion to close and approve the Pole Petition for a joint pole; plan dated November 16, 2007, No. 26 on Westford Street. Selectman Jeannotte seconded the motion. Motion carried.

Mr. Gleason asked for 10 feet of underground conduit on Clara Way. Chairman Chase asked if there was anyone to speak for or against the petition.

Motion: Selectman Eliopoulos made a motion to close and approve the pole petition dated November 16, 2007 to lay 10 feet of underground conduit; pole 23/61 into Clara Way. Selectman Jeannotte seconded the motion. Motion carried.

Acceptance of Public Way, Buttercup Lane:

Mr. Cohen asked that the Board approve Buttercup Lane as a public way.

Motion: Selectman Eliopoulos made a motion to accepted, as a public way, Buttercup Lane as set forth at Town Meeting, prior here to. Selectman Jeannotte seconded the motion. Motion carried.

Police Chief Murphy recognition Kevin, Jeanie and Shea McDonough:

Chief Murphy described the recent events that occurred at the Pinehill Rd. invasion and read a prepared statement. Chief Murphy recognized the efforts of the McDonough family in helping to capture a wanted felon. Chairman Chase recognized the officers involved. Selectman Dalton named Officer Frank Good, Officer Davies and Officer Murphy as those officers involved.

Town Manager Reports:

1. Mr. Cohen explained the need to remove Kevin Goodu from the Historical Commission due to the inability to contact Mr. Goddu to find out whether or not he wanted to continue on the commission. Mr. Cohen stated that he would notify Town Counsel for more information on removing a member.
   Motion: Selectman Eliopoulos made a motion to approve the removal of Kevin Goddu, located Wellman Ave., Chelmsford, MA from the Historical Commission,. Selectman Jeannotte seconded the motion. Motion carried.
2. Mr. Cohen noted that the deadline of January 7, 2008 to submit petition articles for Spring Town Meeting. Mr. Cohen added that the Sewer Commission was looking to present at Spring Town Meeting to discuss the final phase of the project.
3. Mr. Cohen reported that the underground utility project is awaiting further direction on how to proceed.
4. Mr. Cohen reported that the Town is continuously looking for ways to cut energy costs.
5. Mr. Cohen updated the Board of Richardson Road and stated that the next step is the Board of Appeals.

Mass Coalition for Affordable Housing (MCAH):

Dick Heaton, Executive Director of MCAH asked the Town of Chelmsford to join the MCAH. Mr. Heaton stated that there were 33 current members and that the organization was a non-profit. Mr. Heaton explained that each Town has one vote but could have multiple members. Mr. Heaton stated that there was an eleven member steering committee.

Questions from Board

Selectman Wojtas asked how decisions are made by the MCAH. Mr. Heaton stated that the Board of Directors made the decisions. Selectman Dalton asked if Mr. Heaton saw a slow down in 40B developments. Mr. Heaton stated the MCAH looks to long term goals. Discussion ensued concerning the trouble with getting bills through the state legislature.

Selectman Jeannotte asked about the urban/suburban split and its affects on affordable housing in the state. Mr. Heaton stated that bigger cities require more selling of the MCAH.

Josh Degen, Board of Selectmen and member from Groton thanked the Board for hosting their recent seminar on Affordable Housing. Mr. Degen explained how being a MCAH member could help Chelmsford. Mr. Degen added that MCAH can offer resources to the Town and help advocate replacing 40B. Mr. Heaton noted that if Chelmsford became a member they would be listed in the names that now appear and invited to meetings and seminars.

> **Motion:** Selectman Eliopoulos made a motion to approve the Town of Chelmsford becoming a member of the Municipal Coalition for Affordable Housing Selectman Jeannotte seconded the motion. Motion carried.

License Renewals:
Selectman Eliopoulos made a motion to approve the following; Selectman Jeannotte seconded the motions. Motion carried with noted exceptions:

I make a motion to approve an Automatic Amusement License for 2008 to:

DePalma Lanes

I make a motion to approve the following All Alcohol Club Licenses for 2008 to:

The American Legion

Chelmsford Lodge of Elks

I make a motion to approve the following All Alcohol Innholders Licenses for 2008 to:

Chelmsford Hotel Company

PKS Realty, Inc. d//b/a Best Western

I make a motion to approve the following Beer & Wine Restaurant Licenses for 2008 to:

Amici's Trattoria - Contingent upon an updated TIPS certification.

Chelmsford House of Pizza & Seafood

Evzon

Fish Shops, Inc.

Infusions Bistro

Jimmy's Pizza, Subs and Seafood - Contingent upon posting ABCC signs

Khoo & Ng Corp. (Sakura Japanese Cuisine)

Sals' Pizza

The Village Grill

Urban Café - (Transfer Pending)

Yoong Tong II Thai Restaurant

I make a motion to approve the following All Alcohol Restaurant Licenses for 2008 to:

Applebee's Neighborhood Grill and Bar

Bainbridges

Bertucci's Restaurant Corp.

Country Club, Too, Inc.

Feng Shui Asian Cuisine

Garlic and Pepper Bistro - Contingent upon an updated TIPS certification

Glenview Lounge and Pub

Hong & Kong

India Palace - Contingent upon an updated Certificate of Insurance

Kastore Restaurant

The Ground Round (transfer pending)

Omega Pizza

Princeton Station

Skip's Restaurant

Sterling Golf Management

Szechaun Chef Restaurant

The Big Kahuna - removed Big Kahuna from the License Approvals; to be reviewed at the December 17, 2007 meeting of the Board.

Thai Jasmine

The Java Room

Vincenzo's Restaurant

I make a motion to approve the following All Alcohol Package Store Licenses for 2008 to:

DJVP Ram Corp.

Drum Hill Liquor Mart

Harrington Wine & Liquors

Sam's Liquors

The Wine Rack

Vrouhas, Inc - Contingent upon an updated Certificate of Insurance

Westlands Package Store

I make a motion to approve the following Auto Dealers Licenses for 2008 to:

Class I Auto Dealers

J.P. Rivard Trailer Sales

Route 3A Motors

Class II Auto Dealers

A1 Auto Body Company

A + Auto Body Repair

Beantown Motors

Bodyworks Auto Body

Comment [Toc1]:

Bosco Automotive Services – Contingent upon an updated Certificate of Insurance

Chadwick-BaRoss, Inc.

Chelmsford Auto Sales, Inc.

Duffy's Auto Co., Inc

Ferreira Wrecker Sales

Jim Gervais Sales, Inc

KMH Motors

Landry's Automotive

M&M Towing

McGovern Automotive

Merrimack Auto Sales, Inc.

Morton Jaguar Service, Inc.

Northeast Transmission Company

N.T.C. Automotive

Pleasant Auto Sales of Chelmsford

R & P Auto Sales (1 Oak Street) - Contingent upon an updated Certificate of Insurance.

R & P Automotive (117 Princeton Street)

Route 40 Equipment Sales

Silva's Garage

Stony Brook Auto Body

Winner's Circle Auto Sales, Inc.

I make a motion to approve the following Common Victualer Licenses for 2008 to:

Antonio's Pizza - Contingent upon providing an updated Certificate of Ins.

Boston Market Corp.

Brickhouse Pizza

Brothers Gourmet Pizzeria

Burger King Restaurant - Contingent upon providing an updated Certificate of Ins.

Cafe Madrid **- removed Café Madrid from the License Renewals subject to approval by the ABCC.**

Carvel & Cinnabon – Contingent upon providing an updated Certificate of Ins.

Carven Catering Services

Catering by Dinner is Served

Chelmsford Shell Mart- Contingent upon providing an updated Certificate of
Insurance.

Chelmsford Street Sunoco - Contingent up providing an updated Certificate of Ins.

China Mountain Restaurant

Country Club USA

D'Angelo's Sandwich Shop – Contingent upon providing an updated Certificate of Insurance.

Domino's Pizza

Dunkin Donuts – Acton Road

Dunkin Donuts – Chelmsford Street

Dunkin Donuts – Drum Hill Road

Dunkin Donuts – Tyngsboro Road

Einstein Brothers Bagels

Elliott's Hot Dogs

FH&L Triangle Corp. – Contingent upon an updated Certificate of Insurance

Fresh Chow Restaurant

Friendly Ice Cream Corp.

Gary's Ice Cream

Kate's Corner

L'il Peach

Market Basket

Miller's Variety Store - Contingent upon payment of outstanding taxes

Mr. Convenience

Panera Bread

Papa Gino's - Contingent upon providing an updated Certificate of Insurance

Papa John's

Papa Maggio

Quiznos Sub – Contingent upon an updated Certificate of Insurance

Rosie's Diner – Contingent upon an updated Certificate if Insurance

Sabatino's Italian Kitchen – Contingent upon an updated Certificate of Ins.

Shop & Save (Hannaford)

Starbucks Coffee Company

Stop & Shop Supermarket

Subway – Chelmsford Street

Subway - Parkhurst Road

Sully's Ice Cream

Tai Shiang Garden

The Flaky Pastry

The Pizza Place

The Traveling Gourmet

Three Sister Deli – Contingent upon an updated Certificate of Insurance

Timbo's

Two Boys Bakery

Village Square Convenience Store – Contingent upon payment of outstanding taxes.

Zesty Pizza

Storage License:

Motion: Selectman Eliopoulos made a motion to approve the rescinding of an Underground storage license to Turnpike Properties located at 200 Turnpike Rd. Selectman Jeannotte seconded the motion. Motion carried.

Meeting Dates:
The Board discussed upcoming meeting dates.

Stipend Committee Recommendations
Chairman Chase invited discussion on the recommendations made by the Stipend Review Committee. The committee recommended discontinuing health insurance to elected officials. Discussion ensued as to how elected officials could be grandfathered in until their term ended. Selectman Eliopoulos suggested that a motion be drafted by Town counsel. Mr. Cohen noted that which committee received stipends needed to be voted on. Discussion ensued as to which committees could receive stipends. Selectman Wojtas suggested that the Personnel Board review the amount of each Board/Committees stipend annually. Selectman Eliopoulos suggested discussing the stipends issue at the next work session.

Solid Waste Recycling Task Force Recommendations:
Selectman Jeannotte asked Mr. Cohen if an Enterprise fund was ever considered for solid waste. Mr. Cohen stated that there was no revenue from the trash and that an enterprise fund was not needed. Selectman Jeannotte commented on the need to comply with the bylaw. She suggested tabling, and continuing the discussion when the budget is addressed.

Selectman Referrals:
Selectman Wojtas made no referral(s).

Selectman Jeannotte made the following referral(s):

1. Selectman Jeannotte reported that the Affordable Housing Forum was well run and informative.
2. Selectman Jeannotte reported that the School Committee is meeting on December 5th for a Work Session.
3. Selectman Jeannotte reported that the Thanksgiving walk held on November 22nd was well attended.

Selectman Eliopoulos made the following referral(s):

1. Selectman Eliopoulos reported that the Holiday Prelude was well attended and very fun.

Selectman Dalton made the following referral(s):

1. Selectman Dalton Reported that a tree was down on Old Stage Road and that power was lost for a good deal of time. Selectman Dalton asked Mr. Cohen to follow-up with National Grid.
2. Selectman Dalton suggested that the Chelmsford football coach be invited to the next Board meeting, due to the recent win by Chelmsford.

Chairman Chase made the following referral(s):

1. Chairman Chase reminded the Board of the first meeting of the Ambulance Study Committee on December 4th at 7:00pm.

Press Questions:

Andy Metzger, of the Chelmsford Independent asked the following questions:

1. Mr. Metzger asked for clarification on who decided the stipends.
2. Mr. Metzger asked for clarification on the personnel board's role in the stipends.
3. Mr. Metzger asked if Selectman Eliopoulos has officially gone off the Towns Insurance. Selectman Eliopoulos stated that he has applied for his own insurance.

Motion: Selectman Dalton made a motion to adjourn at **9:30pm.** Selectman Jeannotte seconded the motion. Motion unanimously carried.

Respectfully submitted,

Patrice Garvin

Notice of Meetings of Town Departments and all Town Boards

As required by Chapter 39, G.L.

~ Please Press Firmly and Print ~

Name Of Department or Board: Board of Selectmen Wal Grove

Date of Meeting: Wed December 4 **Time:** 5:30

Location: Tel Conference Room Room Number: 201

Name of Building

Town Offices - 50 Pelham Rd.

Street Address

Elizabeth F. Dewey

Town Clerk's Signature

Clerk/Bd. Member & Date

TOWN OF CHELMSFORD
BOARD OF SELECTMEN MINUTES-Work Session
Wednesday, December 5, 2007
50 Billerica Rd, Chelmsford

Attending:
Samuel Chase, Selectman Chairman
Philip M. Eliopoulos, Selectman Vice Chair
Clare Jeannotte, Selectman Clerk
Patricia Wojtas, Selectman
William F. Dalton, Selectman
Paul Cohen, Town Manager

5:56pm
Chairman Chase called the meeting to order.

Town Manager Request to Appoint Town Finance Director:
Mr. Cohen pointed out that John V. Sousa, Jr., a Chelmsford resident, was in attendance with his family. Mr. Cohen explained the process in hiring a new Finance Director and that interview for four applicants, narrowed down from thirty, were held last week. The interview team included Ms. Parziale (human resources), Ms. Lussier (town accountant), Ms. Lambert (acting treasurer) and Mr. Cohen. Mr. Sousa was unanimously selected by the interview team, and the goals and expectations for position were outlined. Mr. Cohen stated that he has spoken to the Town Superintendent because Mr. Sousa was an assistant to the Business Manager at the Chelmsford Public Schools.

Mr. Cohen discussed Mr. Sousa's background and believes he is the best candidate for the position. Mr. Cohen noted that there will be a learning curve but that Mr. Sousa's familiarity with the Town is an asset.

Questions from the Board
Selectman Wojtas asked what the transition would be from the School Department. Mr. Cohen replied that Mr. Sousa would assist the schools until a new person was found to replace Mr. Sousa. Selectman Wojtas asked how long it would take for Mr. Sousa to be certified in specific Treasury areas. Mr. Cohen stated that it would take a couple of years to be certified and that along the way others in the office would assist Mr. Sousa.

Selectmen Jeannotte asked about the timeline, and how it appeared to be a short hiring process. Mr. Cohen noted the time of year and that budget season is fast approaching. Mr. Cohen added that finding any qualified applicants after January would be very difficult. Selectman Jeannotte asked if the position would still be a dual role of Treasurer and Finance Director. Mr. Cohen replied that it would be a dual position. Selectman Jeannotte asked if the hiring of Mr. Sousa would any way affect the bond rating; one way or another. Mr. Cohen stated that it would not affect the rating.

Selectman Eliopoulos asked what the focus of the position with a new person in it would be. Mr. Cohen stated that the major focus for Mr. Sousa would be a treasurer/collector role and not an administrative role. Selectman Eliopoulos also asked whether putting someone with limited experience in this position could adversely affect the town's bond rating or with the bond rating agencies and was assured by the town manager that there would be no such negative impact. Selectman Eliopoulos expressed concern with the transition in the office and with the inexperience of Mr. Sousa however he was assured by Mr. Cohen that the responsibility for the success of the Treasury and Finance Director operations will rest with the town manager.

Selectman Dalton stated his pleasure with the process for a search for the Finance Director and was comfortable working with Mr. Sousa. Selectman Jeannotte was concerned with Mr. Sousa's technical knowledge of the position.

Chairman Chase noted that Mr. Sousa's academic preparation, work ethic and general business experience will serve him well in his new position. Chairman Chase also noted that the previous two Finance Directors did not have the Treasury certification, nor was that made a condition of their continued employment. Chairman Chase is comfortable that Mr. Sousa will work to obtain that certification, and that is evidence of his commitment to the job.

> **Motion:** Selectman Eliopoulos made a motion to approve the Town Manager appointment of John Sousa as Finance Director/Treasurer. Selectman Jeannotte seconded the motion. Motion carried.

Hillside Garden Letter from Abutters:

Chairman Chase referred to a letter he received from a resident on Chamberlain Rd. asking the Board to rescind its February 2007 LIP endorsement of the Hillside Garden project. The Board discussed how to respond to the letter and what was the most appropriate action the Board could take. Chairman Chase stated that the Board would draft a response letter and send it out to residents, and at the December 17th meeting the Board would explain their response.

School Committee Workshop:

Mr. Taranto, School Committee member, updated the Board of the School Departments budget discussions planned for the December 6th hearing with the Finance Committee. Mr. Cohen stated that at the Joint meeting the School Department was asked to show what the School Department would look like without an override.

Mr. Cohen briefly outlined cuts that would be needed for the municipal side of Town if an override did not pass.

1. Possible cuts in the Fire Department personnel, and the year-round closing of one station.
2. Possible cuts in Police Department to 4 Officers per one shift with a supervisor. Mr. Cohen noted that that is as far as he felt comfortable going with the Police Department.

3. Possible cuts in DPW staff- elimination of one Engineering position
4. Possible cuts in facility custodial positions
5. Possible cuts in the Council on Aging

Mr. Cohen went on to explain that he would continue meetings with Department Heads to discuss their budgets. Mr. Cohen added that the money being received from prop 2 ½ totals 2.5 million. Of that 2.5; 500,000 goes to fixed costs, 1.4 million will be given to schools and 600,000 is left for the Town. Mr. Cohen noted that there are still some unknowns such as the level of state aid. Mr. Cohen noted that services will be impacted and that an operation override would be required to maintain current level services.

Discussion ensued by the Board as to what would be discussed at the December 10th Joint meeting. Mr. Taranto stated that the School Committee has identified cuts but has not prioritized or endorsed them. The Board noted the primary purpose of the Joint meeting is to get information out to residents earlier than the normal budget cycle.

Selectman Jeannotte wanted to discuss the Recycling Task Force recommendations and their possible impact on asking for an override. Selectman Jeannotte was not in favor of a Pay as You Throw system and felt it was important to reach agreement on the calculations relating to the bylaw for accounting for the trash override monies.

Selectman Eliopoulos asked how an override should be asked for on the ballot and the amount of an override. Selectman Wojtas suggested having a 1.5 and a 3 million option. Most likely the 1.5 would pass and the Town would get something. Discussion ensued as to whether giving residents two options could work.

Mr. Cohen asked if the Board felt this was the right time to continue with the Fire/DPW feasibility study. Selectman Eliopoulos pointed out that asking for an override and then having a feasibility study on fire/DPW facilities does not make sense. The Board decided that they would ask the Fire/DPW Facility Committee to hold off on speaking with possible consultants to conduct a feasibility study.

Mr. Cohen discussed possible burn permit fees, alarm fees and the closing of the Old Town Hall, as possible ways to generate and save money. Selectman Eliopoulos suggested a Public Input Session for early January.

Stipend Committee Recommendations:
The Board discussed which committees/boards should get stipends. Selectman Eliopoulos noted that the sense of the Board appears to be that part-time elected officials should not receive stipends. Adding stipends to other committees would therefore not contribute to an increase in health insurance costs. Selectman Jeannotte did not see a reason to give stipends to various committees and did not see the logic behind the Personnel Board recommending the stipend rates. It was suggested that Selectman Eliopoulos and Selectman Wojtas work together to list out possible stipend recipients. Chairman Chase noted that the Stipend Committee recommended that only the Selectmen and School Committees should receive stipends, and he feels comfortable following that

recommendation. Mr. Cohen noted the need to consider the potential future qualification for retiree health care if a stipend is paid, even if current health insurance is not permitted. Chairman Chase stated that the Board would postpone further discussion until clarification is received from Town Counsel.

Motion: Selectman Eliopoulos made a motion to adjourn at **10:15pm.** Selectman Jeannotte seconded the motion. Motion unanimously carried.

Respectfully submitted,

Patrice Garvin

Notice of Meetings of Town Departments and all Town Boards

As required by Chapter 39, G.L.

~ Please Press Firmly and Print ~

Name Of Department or Board: Joint Meeting - School Com BCS, FINCOM

Date of Meeting: Monday, Dec 10, 2007 **Time:** 7:30 pm

Location: School Administration Building Room Number: Conf. room

Name of Building

250 North Road

Street Address

Deborah A. Delaney Tricia Quinn 11/16/07

Town Clerk's Signature Clerk/Bd. Member & Date

TOWN CLERK
NOV 16 3:18
RECEIVED

TOWN OF CHELMSFORD
BOARD OF SELECTMEN MINUTES
Monday, December 10, 2007
Administrative Office Building

Board of Selectmen Attending: Attending: Philip M. Eliopoulos, Clare Jeannotte, Patricia Wojtas, William F. Dalton, Paul Cohen, Town Manager

Samuel Chase, Chairman was absent

School Committee Attending: Kathy Duffett, Chairman**,** Angelo Taranto, Evelyn Thoren, Kevin Porter, Christina Walsh, Dr. Karen Mazza, Dr. John Yeoman, School Superintendent, Bruce Forester, Carol Fredette, Special Education Director and Bob Cruickshank, Business Manager

Finance Committee Attending: Donald Van Dyne. Chairman, Mary Frantz, Dwight Hayward and. David Turocy.

7:30pm
Selectman Eliopoulos called the meeting to order.

Mr. Cohen, Municipal Budget Projection:
Mr. Cohen presented a summary of the revenue forecast for FY09, noting that the Governors budget will not be released until late-January. Mr. Cohen stated that the property tax was the biggest revenue source for the Town, and with Proposition 2 ½ it will increase. Mr. Cohen stated that new growth was projected to decrease in FY09, as well as Charter School reimbursements. Mr. Cohen listed local receipts for FY08 and indicated which ones would increase and decrease in FY09.

Mr. Cohen presented his recommendations on changes in expenditures for FY09. Mr. Cohen stated that the numbers were discouraging and that even with an 2 ½ increase from Proposition 2 ½ there may be a need for an override. 76% of the current projected revenue increase will go to education, and 24 % to general government. Mr. Cohen pointed to some savings with staff turnovers. Mr. Cohen listed reductions in personnel in Police (3.25 FTE), Public Safety, Fire (4 FTE), DPW (1.5 FTE) and Community Services such as the Council on Aging. Mr. Cohen pointed to the increased costs of insurance and benefits and looked to the governor's final numbers to present the Boards with more actual projections.

Dr. Yeoman, School Department Budget Projection:
Dr. Yeoman stated that the School Department has been making cut backs since 2002. Dr. Yeoman expressed the mission of the schools and referenced how that mission was being challenged with the ongoing cuts in books, equipment, teachers and supplies. Dr. Yeoman went through each school (elementary, middle and high school) and showed where cuts have been made. Dr. Yeoman concluded by stating that 43.4 staff members

have been reduced since 2002. Dr. Yeoman briefly touched upon the rising SPED costs and stated that his total FY09 budget was 45.9 million.

Dr. Yeoman presented the following reduction options for the school department for FY09, noting that the school committee does not endorse any of these options:

1. Plan 1-Reduce classroom technology by $100K, institute a transportation fee, increase athletic fees, Privatize/Reorganize support services, and to consolidate elementary schools from five to four. Dr. Mazza explained the impact on class size with a closing of a school. Dr. Yeoman stated that the savings for the first plan would be $2,345,000.
2. Plan 2- The second plan would reflect plan 1 except more teachers would be eliminated and activity fees would increase more and there would be no transportation fee. This plan would save $2,345,000.
3. Plan 3- this plan would not consolidate the elementary schools but would increase activity fees even higher and eliminate even more teaching positions. This plan would save $2,345,000.

Discussion
Mr. Cruickshank reviewed the impact of reductions on elementary class size and that the school policy was to limit class size to 22 students in K-1 and 25 in grade 2-4. Dr. Mazza also reviewed the impacts on students with increased class size as a result from the previous plans presented.

Questions
Selectman Jeannotte commented on the decreasing enrollment of students and if this trend would impact class size. Mr. Cruickshank stated that the population decrease is mostly seen in the elementary schools. Selectman Dalton asked what the actual impact to class sizes would be if these plans were implemented. Closing an elementary school will add about 100 students to each other school.

Mr. Cohen pointed out that the school presentation did not included numbers for unemployment costs. Selectman Jeannotte asked what the decrease in technology spending at the schools would entail. Mr. Cruikshank explained that they would only add $150K of new classroom technology, not $250K. Selectman Jeannotte commented on solid waste disposal costs and its impact on the budget. Mr. Cohen stated that Russell had fixed costs and that with new housing coming in the numbers only go up. Selectman Jeannotte asked that if a fire station is closed year round would the other four be permanently opened. Mr. Cohen stated that it would be up to the chief to decide which stations close or rotate openings. Selectman Jeannotte asked if services were privatized in the schools what savings would that be. Mr. Cruickshank explained the numbers but had no specifics at that time. Selectman Jeannotte asked if food service companies were approached. Mr. Cruickshank stated that there was a plan to meet with companies.

Selectman Dalton asked about the closing of a school and the next steps. Mr. Cruickshank stated that the building would stay open but what to use it for would have to

be discussed. Selectman Dalton asked about actual costs to closing school buildings at night.

Ms. Frantz commented that the only way to achieve reductions of the magnitude needed to prevent an override is to significantly reduce personnel.

Ms. Walsh asked about concerns with public safety when reducing the number of police officers on duty. Selectman Dalton noted that the decrease in fire was also not safe for fire fighters and that there was a need to do something in the community. Mr. Van Dyne asked what the costs of an override would be for each household. Mr. Cohen stated that it depended on how much of an override the Town would ask for.

Selectman Eliopoulos discussed next steps and, if an override would be requested, when the final date would be to decide. Selectman Eliopoulos suggested the Boards meeting again on January 10th. Selectman Eliopoulos suggested that at the next meeting public input could be heard.

> **Motion:** Selectman Eliopoulos made a motion to adjourn at **9:45pm.** Selectman Jeannotte seconded the motion. Motion unanimously carried.

Respectfully submitted,

Patrice Garvin

Notice of Meetings of Town Departments and all Town Boards

As required by Chapter 39, G.L.

~ Please Press Firmly and Print ~

Name Of Department or Board: Board of Selectmen

Date of Meeting: Mon 17 **Time:** 7:00 pm

Location: Town [illegible] Name of Building Room Number: 204

[illegible] Building Street Address

Elizabeth L. Delaney

Town Clerk's Signature

Clerk/Bd. Member & Date

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA
December 17, 2007

Town Offices
50 Billerica Rd.

7:00 p.m. Call to Order

Public Service Announcements

- **Proclamation – CHS Lions**
- **Proclamation - Chelmsford League of Women Voters**

Open Session

-

Scheduled Business

7:30 p.m. Tango Grille, Alcohol License - Continuation of Public Hearing

7:35 p.m. The Big Kahuna – 2008 License

7:40 p.m. Quizno's – Common Victualer License

7:45 p.m. Sewer Commission – Phases 4H & 4I

8:15 p.m. Town Auditors – FY 07 Financial Audit

Town Manager Appointments

- Historical Commission

Town Manager Reports

- DEP Technical Assistance Grant Awards
- Chelmsford Country Club
- Response to resident question
- Spring Town Meeting Public Notice
- New Open Air Burning Procedures
- Recycling / Solid Waste Monthly Report

BOS Meeting Minutes

- BOS Regular Meeting Minutes 11/19/2007

***** This meeting is televised. *****

Unscheduled Business

- National Grid Surcharge
- Suspended Health Coverage for Elected Officials
- Morton Jaguar – 2008 Class II License Renewal
- Feng Shui – Entertainment License & Hours of Operation
- Ambulance Study Committee Concern

Selectman Referrals

Press Questions

Executive Session

Next Regular Meeting: January 7, 2008

approved 3/10/08 posted

TOWN OF CHELMSFORD
BOARD OF SELECTMEN MINUTES
Monday, December 17, 2007
50 Billerica Rd, Chelmsford

Attending:
Samuel Chase, Selectman Chairman
Philip M. Eliopoulos, Selectman Vice Chair
Clare Jeannotte, Selectman Clerk
Patricia Wojtas, Selectman
William F. Dalton, Selectman
Paul Cohen, Town Manager

7:03pm
Chairman Chase called the meeting to order.

PSA's:

1. The Chelmsford Lions Football Team was recognized by the Board on their recent win and their championship season. The coach and players were present to accept the Boards proclamation.
2. Chelmsford League of Women Voters was recognized by the Board as a service to the community for over fifty years. Mrs. Marshall, co-founder of the Chelmsford League of Women Voters thanked the Board and gave a brief history of the organizations work in Chelmsford.

Open Session:

1. Matt Selento, resident-Rainbow Ave asked about Town documents and his perceived inconsistencies concerning the Hillside Garden Project. Selectman Eliopoulos gave a brief history of the Hillside Garden project with the Board and explained that the Board placed special conditions on the project that the developer has agreed to honor.

   Chairman Chase presented some background on the Hillside Gardens project and responded to questions raised recently on the Boards actions. Chairman Chase stated that the project has not changed and that the Board endorsed it as a LIP and that now the Board was being asked to rescind that endorsement. Chairman Chase noted that the process was well laid out and met with MA code Chapter 760, sec 31.

   A question was raised that the board should review the new Proforma. Chairman Chase stated that the DHCD would make those types of determinations relative to financials. Chairman Chase also brought up the issue of the Chelmsford Housing Authority using the analysis created by Mr. Richard Heaton. The analysis was a tool used by the Housing Authority to estimate profitability. Chairman Chase was satisfied with what was indicated by the Housing Authority. Chairman Chase added that the Performa was not an auditable document.

2. Roy Earley, resident- 184 Chelmsford Street pointed out the need to look at 40B projects in Town. Mr. Earley read an email that he received from Mr. Richard Heaton. Mr. Earley pointed out a discrepancy with what Mr. Heaton stated in his email and what the Chelmsford Housing Authority stated. Mr. Earley stated that Mr. Heaton did not render a decision on the Hillside Garden project just provided the analysis.
3. Thomas Christiano, resident-6 Drew Circle debated with the Board what the Chelmsford Housing Authority stated and what Mr. Heaton indicated in his email. Selectman Eliopoulos suggested a letter be sent to the ZBA consisting of the conditions the Board placed on the Hillside Project.

Tango Grille, Alcohol License-Continuation of Public Hearing:
Victor Forsley, representing Diane Garcia requested an alcohol license.

Motion: Selectmen Eliopoulos made a motion to approve a Beer & Wine license to Tango Café d/b/a/ Tango Grille, Inc to Diane Garcia, Manager located on 12 Chelmsford Street. Seating capacity max 24 seats contingent upon Building Inspector's approval; hours of operation M-Sun 5 am – 11 pm, contingent upon TIPS certification being received in Town Manager's Office. Selectmen Jeannotte seconded the motion. Motion carried.

The Big Kahuna-2008 License:
Gary Lavelle, owner addressed the Board and stated that he has been looking into the recent problems of the establishment. Noise studies have been conducted and the establishment plans on moving the stage to allow for better sound barriers. If the problem persists Mr. Lavelle stated he would discontinue having bands at the establishment. Mr. Lavelle stated that a communication breakdown had occurred and he is working with the Building Inspector. Chairman Chase wanted assurance that Mr. Lavelle would fix all the problems in the establishment.

Motion: Selectmen Eliopoulos made a motion approve the license renewal to the Big Kahuna, Gary Lavelle Manager, conditions existed under 2007 license. Selectmen Jeannotte seconded the motion. Motion carried.

Quizno's-Common Victualer License:

Motion: Selectman Eliopoulos made a motion to approved CV to JVJ Enterprises d/b/a Quizno's, located at 83 Parkhurst Road, Unit 15; hours of operation M-Sat 10am – 9pm Sun 11am – 8 pm, contingent upon Health Director food permit. Selectmen Jeannotte seconded the motion. Motion carried.

Sewer Commission-Phase 4H & 4I:

Barry Balan, Chair of the Sewer Commission and Steve Peterson, Project Engineer presented a Sewer Project Update to the Board. Mr. Balan showed the Board all the areas in Town that have been sewered and which areas still remain to be done. Mr. Balan stated that 92% of the Town has sewer hook-up. Mr. Balan gave a brief history of the funding of the sewer project. Mr. Balan indicated that in 2018 a short fall in betterment funds is foreseen.

Steve Peterson discussed available funds to finish the project. Mr. Peterson explained the SRF Loan and its advantage for the Town to have it. Discussion ensued concerning the current betterment interest. Mr. Peterson commented on the raise in the surcharge in 2007 by $.50 and listed rates for comparable communities. Mr. Peterson proposed another raise in the surcharge for 2008 to enable the sewer project to be completed. The raise would be an additional $.55 raising the surcharge from $3.20 to $3.75. Mr. Peterson stated that this would be last raise needed. Mr. Peterson stated that an article needed to be submitted to Town Meeting. And the rate would be implemented on July 1, 2008.

Mr. Balan pointed to the capacity needed to complete the project and that if the project is stalled it will costs more in the future. Selectman Eliopoulos stated that it was a priority to complete the project for the Town.

Town Auditors- FY07 Financial Audit:

Powers and Sullivan presented the Board with three statements and pointed to pages that indicated how the Town faired in its General Fund. The Towns personnel turnover was discussed as well as transfers made out of the stabilization fund. The money saved over the years for the school building project being bonded out was a positive for the Town. All grant requirements were met on grant funded monies. The auditors discussed the comments made in the management letter, noting three items that have not been improved. Selectman Jeannotte questioned numbers concerning retirement. The auditors did not have the information available but would make sure the Selectmen received the retirement information.

Motion: Selectman Eliopoulos made a motion to accept the Town Auditors report. Selectman Jeannotte seconded the motion. Motion carried.

Historical Commission Appointment:

Motion: Selectman Eliopoulos made a motion to appointment William A. Nolan to the Historic Commission for a one year term, ending June 30, 2008. Selectman Jeannotte seconded the motion. Motion carried.

Town Manager Reports:

1. DEP Technical Assistance Grant Award-

Motion: Selectman Eliopoulos made a motion to approve the MA DEP grants: Billerica, Tewksbury, Chelmsford $40,000 mandatory recycling enforcement coordinator and an Arlington, Chelmsford $13,200 for multi-family recycling outreach. Selectman Jeannotte seconded the motion. Motion carried.

2. Mr. Cohen reported on the Solid Waste Recycle Task Force recommendations and the need for the Board to discuss the recommendations.
3. Chelmsford Country Club- Mr. Cohen stated that the course was in good shape for the spring season.
4. Mr. Cohen reported that the Towns approved tax rate could be found on the DOR website, which is $13.50.
5. Mr. Cohen reported that the deadline for warrant articles for the spring Town Meeting is coming up.
6. Mr. Cohen reported that there will be a burn permit fee of $10 made payable to the fire department.
7. Mr. Cohen noted that he was awaiting the tonnage report on solid waste for the Town, but the Town is seeing a downward trend.

Approval of Minutes:

Motion: Selectman Eliopoulos made a motion to approve the November 19, 2007 regular session minutes. Amended: Page 3 motion 10 day order to remove dog and Page 5 reference to Selectman Dalton. Selectman Jeannotte seconded the motion. Motion carried.

National Grid Surcharge:

Selectman Eliopoulos suggested having this discussion at the next Board Work Session. The Board agreed that would be a better time to discuss the issue.

Suspended Health Coverage for Elected Officials:

Mr. Cohen stated that he was awaiting wording on a motion from Town Counsel and suggested thee Board hold off.

Motion: Selectman Eliopoulos made a motion to seek a formal request to the Ethics Commission on the Stipend Health Insurance question. Selectman Jeannotte seconded the motion. Motion carried.

Feng Shui-Entertainment License & Hours of Operation:

Motion: Selectman Eliopoulos made a motion to approve an Entertainment License to Feng Shui, located at 285 Chelmsford Street; for TV, radio, cable and widescreen; hours of operation Mon-Sat 11am-1am and Sunday 12 noon- 1 am. Selectman Jeannotte seconded the motion. Motion carried.

Ambulance Study Committee Concern:

James Sullivan, member of the ambulance study committee has been called into question because of his background a past employee of TRINITY. Selectman Wojtas did not see a conflict with his membership and stated that his appointment should stand. Selectman Eliopoulos suggested that a written letter be submitted by Mr. Sullivan to Chairman Chase explaining his position.

Selectman Referrals:

Selectman Dalton made the following referral(s):

1. Selectman Dalton commented on recent complaints of trash being left on the street by Russell. Mr. Cohen stated that he would follow-up.
2. Selectman Dalton commented on the recent Salvation Army fund raiser and how Chelmsford raised over ten thousand dollars.

Selectman Eliopoulos made the following referral(s):

1. Selectman Eliopoulos commented on a possible STOP sign on Galloway and Chestnut Hill.

Selectman Jeannotte made the following referral(s):

1. Selectman Jeannotte asked about keeping the meeting length shorter, and perhaps more frequent, so the Board could discuss the important issues more at length. Discussion ensued as to how to go about making time in Board meetings for important issues.

Selectman Wojtas made the following referral(s):

1. Selectman Wojtas asked about the snow budget for the Town and if there were possible SALT alternatives.
2. Selectman Wojtas asked for an update on the new Economic Coordinator.
3. Selectman Wojtas asked about a possible block grant for the Housing Authority and asked for a vote to pursue such an option for the Town.

   Motion: Selectman Eliopoulos made a motion to approve pursuing a block grant for Merrimack Valley Housing Consortium. Selectman Jeannotte seconded the motion. Motion carried.
4. Selectman Wojtas asked if someone could be appointed to the Merrimack Valley Housing Consortium and suggested a possible Planning Board member.

Chairman Chase made the following referral(s):

1. Chairman Chase commented on the Smith Street crosswalk.
2. Chairman Chase stated that he along with the School Committee Chair drafted a letter concerning Chapter 70 funding for the Town. Chairman Chase noted that the letter was basically the same one sent last year and the need to find other communities hurt by Chapter 70 decreased funding.

Selectman Eliopoulos reminded the community of the January 10th Public Input Session being held with the School Committee to discuss FY09 budget.

Press Questions:

none

Motion: Selectman Dalton made a motion to adjourn at **10:40pm.** Selectman Jeannotte seconded the motion. Motion unanimously carried.

Respectfully submitted,

Patrice Garvin

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA
January 7, 2008

Town Offices
50 Billerica Rd.

7:00 p.m. Call to Order

Public Service Announcements

- **Parade Committee Banner Presentation**

Open Session

Scheduled Business

7:30 p.m. Applebee's Transfer of License

7:35 p.m. Café Madrid Entertainment License

7:40 p.m. David Hedison, Choice Center at North Village

7:55 p.m. Jones Farm Common Victualers License

Town Manager Reports

- Stop sign at Chestnut Hill and Galloway
- Town Meeting Warrant Articles
- Snow & Ice Budget
- Campaign Signs
- Town Office Reorganization

BOS Meeting Minutes

BOS Work Session Minutes 12/5/2007

Unscheduled Business

- BOS Policy Review Process
- BOS/Town Manager Goals
- Stipend Review Update

Selectman Referrals

Press Questions

Executive Session

Next Regular Meeting: January 28, 2008

*** **This meeting is televised.** ***

Approved 2/25/08

TOWN OF CHELMSFORD
BOARD OF SELECTMEN MINUTES
Monday, January 7, 2008
50 Billerica Rd, Chelmsford

Attending:
Samuel Chase, Selectman Chairman
Philip M. Eliopoulos, Selectman Vice Chair
Clare Jeannotte, Selectman Clerk
Patricia Wojtas, Selectman
William F. Dalton, Selectman
Paul Cohen, Town Manager

7:03pm
Chairman Chase called the meeting to order.

PSA's:

1. Parade Committee-Lynn Marcella and Jeff Hardy Co-Chairs of the Parade Committee displayed the winter banner for the Center. Mr. Hardy thanked the Board for their efforts and noted that volunteers were still needed.

Open Session:

1. Kathy Cryan Hicks requested a One day liquor license for the Annual Taste Event.
   Motion: Selectman Eliopoulos made a motion to approve a one day beer and wine license to the Chelmsford Public Library for Friday, February 1, 2008 located at 25 Boston Road; from 6pm – 11pm. Selectman Jeannotte seconded the motion. Motion carried.
2. Rick Mahoney, resident-64 Prescott Drive commented on a change to Harrington school policy for pick-up of students after school. Chairman Chase stated that he would forward Mr. Mahoney's letter to the Town Manager. Mr. Mahoney also asked for an update on the assessment process for condominiums and the issue concerning the Board of Health lifeguard requirement, and definition of semi-public residency. Chairman Chase asked the Town Manager to follow-up.

Approval of Minutes:

Motion: Selectman Eliopoulos a made a motion to approve the Work Session 12-5-07 meeting minutes. Selectman Jeannotte seconded the motion. Motion carried.

Town Manager Reports:

1. *Stop Sign at Chestnut Hill & Galloway:* Mr. Cohen reported that this issue was forwarded to the Chief of Police and Mr. Pearson. It was suggested that the intersection be narrowed to a T shape to slow down traffic. Selectman Dalton asked why a STOP sign would not be placed at the intersection. Mr. Cohen stated that no accidents have been reported.
2. *Town Meeting Warrant Articles:* Mr. Cohen stated that the article deadline had passed. Mr. Cohen reported that there were three Petition Articles.
   A. Petition Article for a Sound Barrier- There was discussion if this article needed Town Meeting approval. Mr. Cohen was asked to contact petitioners.
   B. Trash By-Law-To enact a by-law stating that the override for trash be dedicated to solid waste removal.
   C. Betterment Assessment & Sewer Fees- Mr. Cohen will contact petitioners to follow-up on this article.
3. *Snow & Ice Budget:* Mr. Cohen reported that due to the record snow amounts that the Snow and Ice Budget will be overdrawn and will require an article at Spring town meeting. He will keep the Board updated.
4. *Campaign Signs:* Mr. Cohen reported that signs can be placed twenty one days prior to an election and signs need to be removed 14 days after an election.
5. *Town Office Reorganization:* Mr. Cohen reported that Kellie Hebert has finished employment in Town and that the position will not be refilled but reconfigured. The offices will be consolidated and then if an override passes the position can possibly be put back. Mr. Cohen reported that some duties that Ms. Hebert was responsible for will be taken over by the Community Education Department that recently merged with the Town Recreation Department. Dr. Yeoman will draft the memorandum of understanding regarding the consolidation of these two departments. Registration will continue for recreation programs at town hall through June 30th.
6. Mr. Cohen reported that Chief Parrow received a National Grant from Homeland Security to purchase self contained breathing apparatus. Funding required by the town is available within the budget.
7. *Consolidating:* Mr. Cohen reported that the Town continues to look at ways to consolidate functions with the School Department. Currently the IT department is being looked into and discussions have begun on how to consolidate.
8. *Police Department:* Mr. Cohen reported that Officer Joseph Crowley was transferred from Chelmsford to Cambridge. Mr. Cohen stated that the position would not be replaced and that he would continue to update the Board relative to potential changes in staffing. In addition, a recent firefighter retiree is not being replaced at this time.
9. *Budget Forum:* Mr. Cohen described the budget forum to be held on January 10th.

Applebee's Transfer of License:

Gregory Denmarks, representing Applebee's requested a transfer. Chairman Chase asked if there was anyone present to speak for or against the transfer.

Motion: Selectman Eliopoulos made a motion to close the public hearing. Selectman Jeannotte seconded the motion. Motion carried.

Motion: Selectman Eliopoulos made a motion to approve the transfer of an all alcohol license(waiving the two week standard waiting period) from Applebee's Northeast Inc. to Applebee's Restaurant North, LLC; with an additional Common Victualer and Entertainment License (radio, TV and cable) with all the same conditions placed on the old licenses. BOS closed and approved the transfer of an all alcohol license(waiving the two week standard waiting period) from Applebee's Northeast Inc. to Applebee's Restaurant North, LLC; with an additional Common Victualer and Entertainment License (radio, TV and cable) with all the same conditions placed on the old licenses.

Café Madrid Entertainment License:

Motion: Selectman Eliopoulos made a motion to approve the issuance of an Entertainment License to Café Madrid, located at Alpine Lane for radio, amp and phono. Selectman Jeannotte seconded the motion. Motion carried.

Jones Farm Common Victualer License:

Ralph Hickey, ADA Coordinator recommended a six month time variance to make the proper improvements to the bathrooms. Mr. Jones stated that it would be difficult to make both bathrooms handicap accessible in six months. Mr. Jones suggested making one bathroom handicap accessible and unisex in the six month period and to then finish the second bathroom. Mr. Hickey agreed to the plan Mr. Jones presented.

Motion: Selectman Eliopoulos made a motion to approve a Common Victualer license to Phil Jones d/b/a Jones Farm, 246 Acton Road for Sun-Sat 7:30am-6pm; with a 16 seat capacity (5 tables), with a 6 month period to have a temporary working handicap unisex bathroom and a year to have two complete handicap bathrooms; along with signs indicating handicap parking. Selectman Jeannotte seconded the motion. Motion carried.

David Hedison, Choice Center at North Village:

Mr. Hedison gave the Board an update on the Housing Authority receipt of $120,000 grant. The development proposed is a thirty seven unit development that would have access to Saints Memorial medical care on-site. Chairman Chase asked when the ZBA would review the proposed development. Mr. Hedison replied the ZBA would receive the plan on January 17th. Mr. Hedison requested a letter of support by the Board and the Town Manager for the Choice Center development.

BOS/Town Manager Goals:

BOS/Town Manager Goals discussion would be tabled until the next work session.

BOS Policy Review Process:

Chairman Chase noted that a possible subcommittee could be formed to examine the policies. Both Selectman Jeannotte and Selectman Wojtas agreed to serve on the subcommittee.

> **Motion:** Selectman Eliopoulos made a motion to approve creation of a Policy Review Subcommittee consisting of Pat Wojtas and Clare Jeannotte. Selectman Jeannotte seconded the motion. Motion carried.

Stipend Review Update:

Mr. Cohen informed the Board that the correct wording of the motion has been sent to Town Counsel and is expected to be ready for Town Meeting.

Selectman Referrals:

Selectman Wojtas made the following referral(s):

1. Selectman Wojtas asked for an update on the Kate's corner STOP sign. Mr. Cohen stated that the issue would be addressed in the spring.
2. Selectman Wojtas asked for an update on the utilities project in the center. Mr. Cohen stated that he and Mr. Belansky met with National Grid and is waiting to proceed.

Selectman Jeannotte made the following referral(s):

1. Selectman Jeannotte reminded residents of the upcoming Town election and urged people to run for elected positions.

Selectman Eliopoulos made the following referral(s):

1. Selectman Eliopoulos reminded residents of the upcoming public input on January 10 at the Senior Center.

Selectman Dalton made no referral(s).

Chairman Chase made the following referral(s):

1. Chairman Chase commented on the recent presentation by the High School Principal at the School Committee meeting.
2. Chairman Chase commented on the need to look at consolidation and reorganization. Chairman Chase also thanked the Town manger and Superintendent for their work on the FY09 budget.

Press Questions:

Rick Hollard of the Lowell Sun asked the following:

1. Clarity on the consolidation of Kellie Hebert's position. Mr. Cohen explained the consolidation effort.
2. How much the tax payers would pay for the Choice Development. Mr. Cohen noted that the cost would be $125,000.

Andy Metzger of the Chelmsford Independent asked the following:

1. Clarification of Fire Department Grant. Mr. Cohen clarified the amount received and what it would go towards.

Motion: Selectman Dalton made a motion to adjourn into Executive Session, not to return, for the purpose of litigation at **8:50pm.** Selectman Jeannotte seconded the motion. Motion unanimously carried.

Selectman Wojtas	**Aye**
Selectman Jeannotte	**Aye**
Selectman Eliopoulos	**Aye**
Selectman Dalton	**Aye**
Chairman Chase	**Aye**

Respectfully submitted,

Patrice Garvin

approved as edited 3/10/08

TOWN OF CHELMSFORD
BOARD OF SELECTMEN MINUTES
PUBLIC INPUT SESSION
Thursday, January 10, 2008
Senior Center

Board of Selectmen Attending: Attending: Samuel Chase, Chairman Philip M. Eliopoulos, Clare Jeannotte, Patricia Wojtas, William F. Dalton, Paul Cohen, Town Manager

School Committee Attending: Kathy Duffett, Chairman, Angelo Taranto, Evelyn Thoren, Kevin Porter, Christina Walsh, Dr. Karen Mazza, Dr. John Yeoman, School Superintendent, and Bob Cruickshank, Business Manager

Finance Committee Attending: Donald Van Dyne, Chairman, Mary Frantz, Dwight Hayward and David Turocy.

7:10pm
Chairman Chase called the joint meeting to order. Chairman Chase stated that the Town Manager and Superintendent would give brief presentations then the floor would be opened to the public.

Mr. Cohen introduced John Souza, the new Finance Director. Mr. Cohen began his presentation by giving projected new revenue of $3,463K for FY09. Mr. Cohen noted "budget busters" which included health care (rising $963K) and retirement costs (rising $500K) and non-excluded debt service (rising $232K). The balanced budget reduces spending in Municipal Administration, Sewer and Cemetery Commission, Community Services and excluded debt service. Mr. Cohen presented cuts if an override did not pass in the DPW (1.5 FTE), Police (3.25 FTE) with minimum shift of 4 patrol officers and 1 superior officer and Fire (4.0 FTE) department, and a permanent fire station closing, with possible increased response times. Community Service reductions reflect the transfer of the recreation department to the School Community Education program. He commented that the Governor's budget is due on January 23rd and health insurance rates are forthcoming, both of which will provide updated information.

Dr. Yeoman presented the costs that the school department has incurred since 2002 and stated a total of 43.4 FTE reduction in personnel. Dr. Yeoman presented three budget reduction plans for the school department if an override did not pass. Cuts included technology equipment, teachers and other staff, increased bus, athletic and activity fees and a possible redistricting and consolidation of elementary schools. Each plan presented would save the schools $2,345,000. Dr. Yeoman noted that the impact of these cuts would be many, including an increase in class size, and less effective learning.

Public Input:

1. Karen DeDonato, 4 Archibald Way did not support the cuts being proposed. Ms. DeDonato was concerned that students would not be able to compete at a college level if cuts were made. Ms. DeDonato suggested working together to avoid any more cuts.
2. Leona Belanger, 77 Willis Dive suggested supporting home schooling. Ms. Belanger suggested looking into alternative health benefits.
3. Mark Totten, 29 Abbot Lane asked to look more long term and to figure out how to increase revenue for the Town. Mr. Totten suggested looking at alternatives in energy.
4. Tom Moran, 19 Dennison Rd. was not in favor of an override and wanted the Town to negotiate salary increases and to institute a freeze on increases. Residents are hurting. Don't punish the students.
5. John Jackson, 9 Essex Place suggested living within the Towns means and did not support an override for education. He supported police and fire needs. Mr. Jackson suggested eliminating the Assistant Superintendent position and to combine school and Town functions, i.e. IT department. Felt that the letter sent home with students was unconscionable.
6. Lisa Bubrick, 6 Archibald Way, stated that she had moved from CA and chose Chelmsford because of its school rating. Ms Bubrick suggested that every family voluntarily donate $800 to an education foundation to support the schools.
7. Brian DeSilva, 54 Pine Hill Road asked whether businesses along with residents would share in the override. Mr. DeSilva asked about the tax rate in Town between businesses and residents and if there was a chance for revenue. Chairman Chase noted the tax rate was set every year and that currently there is not split tax rate for businesses and residents.
8. Deb Lyons, 29 Empire Street asked what kind of Town residents wanted and the future it wants to see.
9. Carl Mead, 20 Dalton Road currently a High School Student suggested no department heads and stressed the need for a complete IT department. Fees for activities make no sense. Mr. Mead suggested looking to the business community to help invest in the schools.
10. Frances Killam, 18 Courtland Drive noted that she moved 10 years ago from CA and chose Chelmsford for the schools. Ms. Killam cautioned the group that students were in peril of increased drug use if we do not investing in the Town schools.
11. Marc Grant, 103 Kristin Drive suggested change in the solid waste management of the Town and that $90,000 could be saved through recycling efforts.
12. Kirk Marshall 39 Moore St Commended the Boards for working together and suggested using private contractors for work in the Town and considering if the ambulance proposal can provide revenue. He would support a trash fee. Mr. Marshall stated that all areas of the Town needed to feel the pain of the cuts.
13. Joel Karp feels people want a choice to support and stated that a menu option override was needed to support public safety.
14. Bruce Thomas, President of the Chelmsford Federation of Teachers noted that the teachers gave up a pay raise in the early 1990's that they are still trying to catch up to compared to salary levels in other communities. Mr. Thomas stated that it

was important to keep teacher salaries comparable to other communities. He complimented the new Superintendent.

15. Sheila Pichette, 26 Shedd Lane asked residents to invest in their Town. She thanked officials for hosting the forum and asked that people trust them and be direct with them and speak to them.
16. Alan Thomas, 394 Littleton Road, Dean at CHS and Town meeting representative spoke of his genuine concern for the town and its youth. He sees us at a critical point and is advocating for an override and that the proposed fees are excessive.
17. Cynthia Virtue, 9 Temi Road asked about possible advertising on the side of buses for more revenue.
18. Ron Sayer, 11 Garrison Rd supported the override and asked the Boards to consider factoring health costs in a five year plan.
19. Mike Coombs, 10 Fuller Rd. did not support a menu override and suggested not outsourcing the food program. Dislikes "ala carte" government; don't pit one need against another.
20. Kathy Rossman, 89 Park Rd. suggested banding together with other Towns to solve the problem and noted being a school nurse she sees the negative impacts on students.
21. Donna Newcomb, 15 Mill Road commented on her efforts to gain more in Chapter 70 monies from the state and its difficulty. Ms. Newcomb stated that the state would not take money from other Towns and always looks at the number of overrides a community has tried to pass. Commented that our fiscal problems exist everywhere.
22. Dan Fitzgerald cautioned that people will begin to leave the Town.
23. Danielle Evans, 18 Janet Road noted that she was a Town Meeting Representative and was in strong favor of an override and asked the public for support.
24. Rick Mahoney, 64 Prescott Drive did not support closing schools and asked the Board to look at all costs, live within means, but do not compromise education.
25. Robin Hennessey, 726 Wellman Ave. a food service worker stated that her job was to also take care of the students in the school. Ms Hennessey noted that there were 40 food service workers in total that could be cut.
26. Diane Baxter, 1 Muriel Road supported the override and to not pit the Town against the schools.
27. Cherrice Lattimore, 311 Pine Hill Rd stated she supports the override and will do her part.
28. Rachel Haded, 6 Sycamore St. was glad the recap of cuts since 2002 was reviewed and stated that she felt a real sense of community in Town and stated that all the Boards needed to be behind the override.
29. Ellen DiPasquale, 9 Mansfield Drive stressed the need to continue lobbying for Chapter 70 money and to look at new forms of revenue and efficiencies. Ms. DiPasquale noted that the community needed to be challenged to help take the burden off of parents.
30. Larry Gagnon, 34 Bridge Street supported an override and was concerned that the elderly could be forced out of Town.

31. Joanne Anderson, 6 Evergreen Street stated that a menu option was not a good idea and could hurt the schools. Willing to pay bus or activity fees, but with a family cap. Doesn't want a school to close.
32. Lawrence MacDonald, 15 Reid Rd. stated that the Town can not just focus on one part of the Town. Can we provide incentive for employees to shift to spouses insurance? Sees the town at a critical moment as a community.
33. Glenn Thoren, 18 Pinewood Rd. stated that the community needed a solution for the entire Town and to find a way to give back to seniors.
34. Muriel McGrann, 16 Sandra Dr. was in support of an override but asked if the Boards would come every year looking for more money. She wanted a five year commitment that there would not be another request.
35. Lynn Sullivan, 14 Evergreen St. stated that the override would be a band aid on a bigger problem. She supports trash fees. Worries about future years and those with no ability to pay. Very upset by note sent home with students.
36. Maura Shield, 11 Winslow Rd. asked about a change in Police details to a less costly alternative. Ms. Shield stated that the override should give residents a choice.
37. Michelle Thomas, 38 Woodlawn Rd. stated that she supported the ambulance program, the trash recommendations and the bus fees.
38. Jeff Apostolakes, 17 Queen St, suggested presenting this in a way that makes people want to invest in the Town and to fund a PAL program.
39. Betty McCarthy, Library Trustee did not want seniors segregated in this discussion. She thanked the Boards for the presentation and suggested moving speedily with the override discussion.
40. **Mike** suggested looking at who would pay in the community if there is no override

Chairman Chase closed the Public Input at **10:30pm**

approved 3/10/08 posted

TOWN OF CHELMSFORD
BOARD OF SELECTMEN MINUTES
Work Session, Monday, January 23, 2008
50 Billerica Rd, Chelmsford

Attending:
Samuel Chase, Selectman Chairman
Philip M. Eliopoulos, Selectman Vice Chair
Clare Jeannotte, Selectman Clerk
Patricia Wojtas, Selectman
William F. Dalton, Selectman
Paul Cohen, Town Manager

6:10pm
FY09 Budget:
Mr. Cohen stated that the Governors Budget had been released and that Chelmsford received ok news. Chapter 70 money increased but lottery was level funded. Mr. Cohen noted that there might be a gap in the lottery money if the projected sale of casino licenses does not happen. Mr. Cohen went on to explain the state numbers and concluded that with a health insurance premium percentage unknown, Chelmsford is still facing a deficit. Discussion ensued concerning the Governor's numbers and debt service of the Town in relation to the school reimbursements. Mr. Cohen noted that there was more information coming hopefully at a meeting in late February on whether the Town will receive school construction reimbursements. Mr. Cohen noted a joint meeting on January 30th concerning the override.

Chairman Chase asked each Board member were they stood on a possible override. Selectman Jeannette stated that she was in favor of placing an override question on the ballot. Selectman Dalton supported an override on the ballot. Selectman Eliopoulos supported an override on the ballot but was not in favor of it being a menu. Selectman Jeannotte was unsure of how to present the override to the residents. Selectman Jeannotte requested having more information on an override budget prior to the Joint meeting on the 30th. Selectman Wojtas supported having an override question on the ballot but not a menu. Selectman Wojtas stressed the need for equity in whatever the Town received in an override. Chairman Chase supported placing an override budget question on the ballot. The entire Board was in favor of placing an override question on the ballot.

Discussion ensued as to how to present the override to the residents. Selectman Eliopoulos stated that the School Department needed to share what plan they have chosen to go with, in terms of cuts. Christina Walsh, School Committee member outlined a possible non-override budget for the schools, including redistricting, a bus fee and an increase in activity fees and other items discussed throughout the budget season. A Leadership Team meeting is scheduled for January 24th to discuss the Schools cuts if an override does not pass.

The Board discussed the need to market the override. Information would need to be given on what the Town would look like with and without an override. Mr. Cohen noted that if there was a tier approach to the amount, the lesser amount would come with cuts.

DEP Grants for Pay as You Throw:
Mr. Cohen stated that the DEP money is a one time start up grant. Mr. Cohen is in favor of weekly recycling in Town. Mr. Cohen suggested tabling the discussion until there is time to discuss all of the options.

Fire/DPW Feasibility Study:
Mr. Cohen stated that the Board needed to decide if the committee should continue its work. Selectman Eliopoulos suggested holding off the work of the committee until the question of the override is determined by the voters. If the override does not pass then a fire station would close, Selectman Eliopoulos was concerned if the study would be needed. Selectman Wojtas was not opposed to the committee continuing their work. Selectman Jeannotte did not see the harm in holding off the committees activities for the short term.

Motion: Selectman Jeannotte made a motion to table the Fire/DPW Committee until after the April 1st 2008 election. Selectman Eliopoulos seconded the motion. Motion defeated. (3-2 with Selectman Eliopoulos and Selectman Jeannotte voting in support of the motion)
Adjourn 9:05pm

> **Motion:** Selectman Dalton made a motion to adjourn at **9:05pm.** Selectman Jeannotte seconded the motion. Motion unanimously carried.

Respectfully submitted,

Patrice Garvin

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA
January 28, 2008

Town Offices
50 Billerica Rd.

7:00 p.m. Call to Order

Public Service Announcements

- **Chelmsford Alumni Association, Hall of Fame Banquet – George Simonian**
- **Winterfest – Friday, February 1 – Sunday, February 3**

Open Session

-

Scheduled Business

7:30 p.m. Saint Vartanantz - One Liquor License, 2/2/08

7:35 p.m. St. John the Evangelist – One Liquor License, 2/2/08

7:40 p.m. John Sousa & Darlene Lussier – Status Report FY 2008 Budget

7:45 p.m. Evan Belansky – Center Utility Project Update

7:50 p.m. Evan Belansky & Thomas Galligani – Economic Development Update

7:55 p.m. Jim Pearson – Update on NCWD Ad Hoc Advisory Committee Recommendations

8:00 p.m. FY 09 Proposed Budget Impact
Jim Pearson, DPW Director
Jim Murphy, Police Chief
Jack Parrow, Fire Chief
Becky Hermann, Library Director

8:20 p.m. Fire DPW/Feasibility Study

Town Manager Bid Award

- Backhoe for Cemetery Department

Town Manager Reports

- Mid Year Towing Report

***** This meeting is televised. *****

BOS Meeting Minutes

- BOS Regular Meeting Minutes December 3, 2007
- BOS Regular Meeting Minutes December 10, 2007

Unscheduled Business

- Dracut Initiative re: legislation / removal of double poles
- Billerica Power Plant

Selectman Referrals

Press Questions

Executive Session

Next Regular Meeting: February 11, 2008

approved 3/10/08 & posted

TOWN OF CHELMSFORD
BOARD OF SELECTMEN MINUTES
Monday, January 28, 2008
50 Billerica Rd, Chelmsford

Attending:
Samuel Chase, Selectman Chairman
Philip M. Eliopoulos, Selectman Vice Chair
Clare Jeannotte, Selectman Clerk
Patricia Wojtas, Selectman
William F. Dalton, Selectman
Paul Cohen, Town Manager

7:03pm
Chairman Chase called the meeting to order.

PSA's:

1. George Simonian addressed the Board and informed them of the CHS Alumni Association Hall of Fame Banquet on January 18th. Mr. Simonian listed the nominees and their accomplishments.
2. Becky Herman, Library Director stated that the Winterfest kickoff was centered around the book To Kill A Mockingbird. Events are planned for the entire weekend.

Open Session:

1. Evelyn Thoren representing the ATEF gave a brief history of the organization and stressed that all money raised is from donations and fundraisers throughout the year. The ATEF provides grant money to teachers in the school system for special projects.

Approval of Minutes:

Motion: Selectman Eliopoulos made a motion to approve the December 3, 2007 regular meeting minutes. Amended: that the liquor transfer reflects the wording of the license for hours of operation. Selectman Jeannotte seconded the motion. Motion carried.

Motion: Selectman Eliopoulos made a motion to approve the December 10, 2007 joint meeting minutes. Selectman Jeannotte seconded the motion. Motion carried.

Town Manager Bid Awards:

1. Backhoe for Cemetery Dpt.-

Motion: Selectman Eliopoulos made a motion to approve a bid award for a Back Hoe for the cemetery department to Schmidt Equipment in North Billerica with a base bid of $83,900 a net delivery of $67,435 and a trade allowance of $16,465. Selectman Jeannotte seconded the motion. Motion carried.

Mid Year Towing Report:
Mr. Cohen reported that the Chief of Police noted that the process worked well and updates to the Board would continue. Six month revenues of $19,305 have been recorded for 297 tows.

St. Vartanantz-One Day Beer & Wine License:
Rosette Jacobson requested a one day license for February 2nd.

Motion: Selectman Eliopoulos made a motion to approve a one day all alcohol license to St. Vartanantz Church, Old Westford Rd for Saturday, February 2, 2008; hours of operation 6pm-midnight. Selectman Jeannotte seconded the motion. Motion carried.

St. John the Evangelist-One Day Beer & Wine License:
Lillian Lucas requested a one day liquor license for February 2nd.

Motion: Selectman Eliopoulos made a motion to approve a one day all alcohol license to St. Johns, 115 Middlesex Street on Saturday February 2, 2008; hours of operation 5pm – midnight. Selectman Jeannotte seconded the motion. Motion carried.

Town Accountant Report:
Darlene Lussier, Town Accountant and John Sousa, Finance Director reported to the Board. Ms. Lussier noted that the budget is where it should be given the time of year. Ms. Lussier stated that building permits were down but real estate and personal property were still strong. Mr. Souza explained the investment income adjustment from the last update, and realized and unrealized gains. Mr. Sousa stated that the FY08 budget had been reviewed and that there is no cause for concern. . Chairman Chase asked if there was any follow-up procedure if an anomaly was found. Mr. Souza replied that the Accountant is spoken to and then the department head to solve the any problem. Selectman Jeannotte asked why it appears that 61% of salaries had been spent at the 6 month point. Mr. Souza explained that the Fall town meeting budget adjustments had not been reflected in the system yet, and would be prior to the next update. Selectman Jeannotte asked if reconciliations of Treasurer Cash and the accountant reports are current. Mr. Sousa stated they are done monthly without exception. A routine cash audit is being performed due to the change in position of Treasurer and will be reported on to the Board when completed

Evan Belansky Center Utility Update:
Mr. Belansky reported that meetings have taken place with Verizon. Strategies to a phasing plan would commence and a potential suspension in the National Grid surcharge could occur. Mr. Belansky stated that the next step was to obtain an endorsement on for the phasing plan and the work on the first phase should be complete by the end of the next winter. Discussion ensued as to the timeline of the Phases and how to speed up the process.

Motion: Selectman Eliopoulos made a motion to endorse the presented phasing plan 1, 2, and 3 for the utility suppression project and to inform National Grid of our intent to suspend the National Grid surcharge; Contingent on meeting with

Verizon and National Grid within 90 days and Contingent on a satisfactory schedule that binds the utilities not to prolong phasing. Selectman Jeannotte seconded the motion. Motion carried.

Evan Belansky & Thomas Galligani- Economic Development Update:
Mr. Belansky gave a brief background on the Economic Development Coordinator position and introduced Tom Galligani and requested that he give the Board an update on his progress.

Mr. Galligani reported that he was creating a finder database with all commercial listings in Town, how long they have been available and all their specs. Mr. Gallignai stated that his hope was that this database go on the Town web page for any company looking into Chelmsford as a place to locate their business. Mr. Galligani stated that he was surveying the business community to see what is working in Town. Mr. Galligani also identified the Towns strengths and weaknesses to a potential company. An economic development summit is being planned for March and again in May.

Jim Pearson-Update on NCWD Ad Hoc Advisory Committee Recommendations:
Mr. Pearson stated that the underground tank had been removed per the Ad Hoc Committees recommendation. Mr. Pearson reported that the stockpile of concern was also being screened and that it is a two year working pile. In regards to Stormwater management practices, Mr. Pearson reported that runoff was being managed through catch basins and swales. Finally Mr. Pearson addressed the concern of vehicle maintenance and noted the DPW was in compliance. Mr. Pearson reported that water wells are monitored.

Budget 09 Proposed Budget Impacts:

1. Jim Pearson, DPW Director reported that the budgeted staff reductions would impact service in Town. Mr. Pearson noted that for employees lost through Town private costs would be incurred.

2. Jim Murphy, Police Chief reported that cuts have occurred through the years. Through the cuts there would be less visible officers on the streets and less per shift. Chief Murphy identified those positions that would need to be cut if an override did not pass and concluded by noting that officer number are going down every year but the calls coming in are going up. Chief Murphy stressed that private details came from a surcharge. Chief Murphy stated that community policing was an important piece to policing.

3. Jack Parrow, Fire Chief reported that a station would need to close if the override did not pass. Chief Parrow noted that call volume is up and resources are down. Chief Parrow explained the vacation scheduling to clear up any misconceptions. Chief Parrow reported that South Fire Station would close if the override did not pass due to location and call volume.

4. Becky Hermann, Library Director reported that the library needs to be kept current with computers. Selectman Jeannotte asked about North Chelmsford Library. Ms. Herman stated that the library in North Chelmsford is of little costs to the Town. She explained the support from the Friends of the Library, and the state grant use.

Fire DPW/Feasibility Study:

Mr. Cohen posed the question as to whether the Feasibility Study should re-commence given the long term needs of the Town. Mr. Cohen recommended that the committee finish its work. Selectman Eliopoulos suggested waiting to decide on this issue until the override question was answered and saw no harm in waiting.

Pat Mahoney, Chair of the committee wanted to complete the work started by the committee. Discussion ensued as to whether the committee should resume its work.

> **Motion:** Selectman Dalton made a motion to approve letting the Fire/DPW Committee continue their feasibility study and come back to the BOS with a report stating the needs. Selectman Jeannotte seconded the motion. Motion carried. (3yes Dalton, Chase, Wojtas; 2 no votes Eliopoulos, Jeannotte)

Dracut Initiative to remove double poles:

> **Motion:** Selectman Eliopoulos made a motion to support the double pole multi community legislation. Selectman Jeannotte seconded the motion. Motion carried.

Billerica Power Plant:

Mr. Cohen gave an update on the status of the plant proposal. Chairman Chase suggested that the Board contact the Billerica Selectmen to see where they are in the process before taking a formal position on the siting of the plant.

Selectman Referrals:

Selectman Dalton made no referrals.

Selectman Eliopoulos made the following referral(s):

1. Selectman Eliopoulos reminded residents of upcoming meetings to discuss the override.

Selectman Jeannotte made the following referral(s):

1. Selectman Jeannotte suggested contacting MCAH liaisons.

Selectman Wojtas made the following referral(s):

1. Selectman Wojtas noted the LRTA grant and that the Town should apply.

Chairman Chase made no referrals.

Press Questions:
Andy Metzger of the Chelmsford Independent asked for clarification on the Recycling Grant from the state.

> **Motion:** Selectman Dalton made a motion to adjourn at **10:30pm.** Selectman Jeannotte seconded the motion. Motion unanimously carried.

Respectfully submitted,

Patrice Garvin

approved 3/24/08

Chelmsford Town Offices
50 Billerica Rd.
Chelmsford, Ma 01824
Phone: 978-250-5231
Fax: 978-250-5232

Joint Meeting
January 30, 2008

Town Manager Present: Paul Cohen

Board of Selectmen Members Present: Samuel Chase – Chairman, Pat Wojtas, Clare Jeannotte, Philip Eliopoulos, Bill Dalton

Finance Department Members Present: Dwight Hayward, Jon Kurland, Dave Turocy, Mary Frantz, Donald Van Dyne, William Fulton, Vinnie Villano

School Department Members Present: Kathy Duffett, Angelo Taranto, Evelyn Thoren, Kevin Porter, Christina Walsh, Dr. Donald Yeoman

Others present: Vivian Merrill, Clerk

Chairman Chase called the meeting to order at 7:05PM.

Instructions were given on how the meeting would proceed, for the benefit of the public attending and viewing this meeting.

OPEN SESSION

Residents may address the Boards. It was asked to keep the comments brief, as this was not a forum for debate.

This meeting is an input session for the School Dept. and the Finance Dept. to present to the Board of Selectmen regarding presenting an override to Proposition 2 ½ on a ballot for voters to decide. The BOS has already heard from the Police Dept., Fire Dept., DPW, and Library. The BOS will have a work session on February 4, and will vote on the amount and format of the override question to be presented to the voters.

Tom Christiano, Drew Circle, read an e-mail he sent to the BOS. He agrees on voting on an override to keep services. He prefers to give voters the choice of town department and function. He would like to see the override fund public safety-to retain existing firefighters and keep all the stations open, and to keep police personnel at their current levels. He also wants the School Department to clarify what their part of the override will

pay for. He doesn't believe allowing the voters to choose what to allow override funding for will pit one side against the other. He feels this would fulfill the voters' proper role.

Brad Rigby of Chestnut Hill Rd. came before the Boards, explaining that he went to the meeting on January 1, and listened to all the comments. Then he did research online and verified what was presented by the school dept., and found it to be accurate. Chelmsford is running efficiently, at below state average costs. He feels healthcare and retirement costs are what is driving the shortfall, and needs to be addressed. Cutting positions is not the answer.

Frank Tiano of Spruce St. came forward. He is also the principal of McCarthy Middle School. When voting for an override, it is critical that the voters' decision be based on facts, not hearsay. Every day he speaks with people who have based their criticism on misinformation. He would like to see more of effort by people to get the actual facts.

Mrs. Fall, Littleton Rd. agreed that the decision of an override must go to the voters. All town departments must work together to find priorities and do it economically. Do not discount the elderly, they have supported the system for many years, and their efforts should not be forgotten. The elderly must be supported as well as the needs of the children.

Lawrence McDonald of Reid Rd. also felt the needs of the elderly should be protected. He was happy with the job that the Town Manager and the School Superintendent were doing, and felt the budget presented was reasonable. He has seen the school department has been cutting back for years, and he sees that education has changed a lot over time. Children need to be prepared to compete globally. The voters need to decide on what is needed to allow the children to keep up, and let them do well in the system, as they'll be needed to maintain the community in the future. He feels in order to "sell" the override, the voters need to see 3, 5 and 7 year plans by the town. They will need to see predictability in the budget. The Town needs to work on economic development, and fill up some of the empty office space around town. When people see efforts being made to improve the community, they will be more likely to act towards helping maintain that community.

Mr. Mahoney, no address given, stated he's learned a lot by going to town meetings. Times are tough; towns cannot rely on the State to help any more. He would like to see a 5 year plan in place to ensure that looking at an override will not happen again next year. He has seen the Center Fire Station, and the DPW facility, and both are in need of repair. He would like to see a review of Town assets, and maybe see some of them sold to help alleviate the burden. He suggested looking at Chelmsford Country Club and the Forum as places to start. Sacrifices will be made by all.

Al Thomas, Precinct 5, feels Chelmsford is heading in a positive direction by departments meeting together to deal with problems as a town. He opposes a menu approach to the override as being very divisive. Let the leaders lead, and work together.

George Merrill, Precinct 2, is not in favor of an override, but agrees it should be on the ballot as a yes or no item. If it fails, then make the cuts as suggested.

MR. COHEN'S UPDATE OF THE BUDGET

The PowerPoint presentation and related handouts are on the Town website for review.

Since January 10, when the budget was first presented, he has seen other towns addressing their situations. He is impressed that Chelmsford has not had to ask for an override since 1991. Other towns have not been as fortunate. The State budget has been released. Although legislators are still negotiating it, and probably will until June or July, his experience has shown that the initial figures can be relied upon as a floor for planning. He is aware the Governor is promoting the sale of casino licenses, and there is a $110 million shortfall in lottery sales which translates into $500,000 that Chelmsford may not get. He also is aware the state may use their "rainy day" fund to help in the negotiations.

Another helpful item was a smaller increase in health insurance premiums-2.8% this year, as opposed to some years where they have seen double digit increases. He attributes this to Blue Cross now competing with the State insurance fund that many towns have been moving over to in an attempt to save money. Co-pays were increased, which lowered the required premium, and some employees were moved onto Medicare. An increase in excise tax commitment, and school bus contract changes will also increase revenue into the Town. The Federal government announced an interest decrease today, which should help stimulate improvement plans and will affect the debt on current school projects.

The Budget he proposes this evening is much the same as what he proposed on January 10. It addresses what will happen without the override. He maintains that a responsible budget maintains the infrastructure and essential services, and that recurring revenues revolve around recurring costs. In the Governor's budget, Chelmsford is looking at a 12.7% increase in Chapter 70 aid, no increase in lottery allowance, an increase of Charter Tuition Reimbursement of 16%, as well as a Quinn Bill increase. There will be a slight increase in local receipts, and he is hoping investment income will increase, though that is hard to predict.

Increased expense categories included insurance premium, retirement costs, non-excluded debt service, and Nashoba Tech. expenses. Other expenses went down, however the overall increase was 2.7%.

The handout further reviewed recommended changes in expenditures, and allocation of new revenue. After fixed expenses, Education accounts for approximately 80% of the budget, with General Government accounting for 20%. He then went through the cuts that would be made to municipal administration, police and fire departments, DPW department and other community services, including the library.

He presented a property tax history for Chelmsford, as well as a history of general staffing levels, since the year 2000.

In summary, to keep all services going that the Town currently has would cost approximately $3.3 million more than there will be in projected revenue.

DR. YEOMAN AND THE SCHOOL DEPT. ADDRESS THE BOARD

Dr. Yeoman presented a list of the projected cuts in service that will occur if the override fails. They will eliminate teachers, staff, close 1 school, increase fees for activities, and transportation, outsource food service and custodial positions, and not purchase new equipment. He feels the class sizes are already too large, but they will be larger if one school has to be closed. He emphasized that the average cost per student in Chelmsford is already lower than the state average, so he believes resources are being used very efficiently. He noted that they have saved a lot of money by consolidating departments in the past, and they are open to consolidating things in the future.

Members of the school department addressed the Board individually. They stressed the desire to work together as one team. The list of cuts was voted on, and they are real if the override fails. They are requesting 2.3 million of the override funds, if approved, to maintain services as they are currently. They have gotten feedback from teachers and principals. They realize they have been cutting services for years, but they cannot afford to cut anymore without affecting the structure and quality of education. They stressed the importance of competing in a global economy. Without some of the services, this will be harder to achieve. They wish to make sure citizens do not think the request for an override is politically motivated, and they realize their commitment to the Town is being questioned. They are fully aware that the State will step in if certain criteria are not met. They urge citizens to go online and do the research that they are referring to. It is reasonable to ask for support at this time, they realize these proposed cuts are drastic, but there is nothing else left to cut. The override is a step in the long term solution. They will continue to lobby for more aid, they will consolidate, and economize. They've always made cuts as requested, and they realize their commitment to spending money wisely.

Mrs. Duffett stressed the need to protect municipal services. She realizes teachers, firefighters and policemen have chosen their professions to help the community at large. She does not believe anyone should be put in a position where they are helpless. Including the seniors who have always been there to do what was needed. The school department has received feedback asking about what's in store for next year. She demonstrated some potential results plugging in different amounts for the override, and feels anything you can get is worth keeping services to educate the children. The students will feel the effects of these proposed cuts more than anyone.

FINANCE COMMITTEE ADDRESSES THE BOARD

The idea of an override has been agreed upon. What is not decided is the amount, or the form it should take. There was thought in 2005 that the Town would be in crisis in 2010.

Even then, when federal funding was cut, the state was able to absorb most of those costs, which left less money available to give to towns and cities. The Town has been able to avoid asking for an override for this long due to other money coming in from one-time payments, or reductions in expenses. There are no more one time payments or other money coming in for this year. The past has seen some tough decisions with serious impacts on citizens and public safety. They know one of the things people look at when deciding where to live is the quality of the school system. They have seen some resourceful solutions to past problems, and they are aware that eventually, cuts like the ones proposed will affect quality of life in the town. Eventually, there will be a negative impact on property values. Expenses are increasing for users and providers. If you can't afford something, you do without it, or do with less. Too many people hear things that are not based on fact, which makes justifying a request for more money difficult. They would prefer to have more information on the effects passing this override will have in future years.

BOARD OF SELECTMEN ADDRESSES THE OTHER COMMITTEES

At this time it was asked if the Board had any questions for either the School Dept. or the Finance Dept. No one came forward.

Ms. Wojtas wished to make a statement. She felt encouraged to hear that even without support, most parties felt the need to put an override request on the ballot. Mr. Eliopoulos verified there is a lot of misinformation circulating in the public. He would hope people felt the Board knows what it is doing as the cuts are getting drastic. Expenses are rising faster than revenues. Other towns have been faced with override decisions for years, and Chelmsford has not had to do this. He wants to do what is best for the Town, and would support an override for the full amount. Mrs. Jeannotte likes the collaborative efforts put forth by the different departments, and feels the town is heading in the right direction by working together. She is concerned about the amount of the request, as the total of the one-time revenues over the last 5 years was approximately 13 million, and there is nothing to fall back on for next year. Mr. Chase reiterated that he supports an override for one amount. He has seen cooperation and communication that hasn't been seen in a long time. He referred to the Town motto, "Let the Children keep what the Sires have Won", and hopes there is enough cooperation between the departments to make it through difficult times. He believes the override will translate into a dollar per day for the average taxpayer, which most people should be able to afford. He hopes the people have faith in the officials, as they pay taxes, too. Mr. Dalton finished by saying he has worked with many of the people involved in these decisions for a long time. They are dedicated people who want what is best and what is right for the town. If there's room to change anything that will ease the burden, he's open to looking at it. As the meeting was running ahead of schedule, he opened the floor for additional public input.

PUBLIC INPUT

Regina Jackson, no address given. She fully supports an override for Town services, but she has a problem with the school dept. side. She does not feel they are frugal. She feels

the top administrators' salaries are too high for a community with 5000 students and only 8 schools. The fiscal budget reflects what the Town can afford, and the Town is down 309 students in the last 5 years. The school department consistently threatens teachers, aides, lunch ladies and custodians, but never the top administrators. She asked them to please consider other cuts. She reminded them they did it 2 years ago, even though most of the suggestions were ignored. Do you really need all those conferences, what other costs can be looked at?

Mrs. Duffett remembered speaking with Mrs. Jackson several years ago, and feels they have adjusted their practices. She recalled looking at "Zack's" presentation of December, 2005, and noted that some of his suggestions were implemented; others could not be done cost effectively. They had to look at cost saving and revenue generating techniques. She felt efficiencies were made based on that report, and they are still working on it.

Laurie Myers also came forward to state cuts are never made top down, they are always made from ground level up. The reason these cuts will affect the children the most is that they go after the people the children interact with the most. The list of reductions shows no compromise is being made at the top administrator level.

Motion to adjourn the meeting by Mr. Eliopoulos, seconded by Mrs. Jeannotte.
Meeting adjourned at 9:45PM

Respectfully submitted,
Vivian W. Merrill, Clerk.

Reference Materials: Fiscal Year 2009 Operating Budget Document by Paul E. Cohen,
No-override operating budget vs. Level Service Budget Document,
Frequently asked questions about the Budget/Administrative Costs Document,
Summary of Staffing Reductions from District Budget Document.

approved 2/25/08

TOWN OF CHELMSFORD
BOARD OF SELECTMEN MINUTES-Work Session
Monday, February 04, 2008
50 Billerica Rd, Chelmsford

Attending:
Samuel Chase, Selectman Chairman
Philip M. Eliopoulos, Selectman Vice Chair
Clare Jeannotte, Selectman Clerk
Patricia Wojtas, Selectman
William F. Dalton, Selectman
Paul Cohen, Town Manager

5:24 pm
Chairman Chase called the meeting to order.

Chairman Chase stated that the purpose of the work session was to discuss the form and amount of an override for the April ballot, in preparation for the scheduled Joint meeting on Wednesday, February 6, 2008 with the School Committee and Finance Committee. He reviewed the Levy Limit Override Approaches document: major categories: Single Question Override, Multiple Question Override: Menu: Multiple questions, or Pyramid: One question with varying amounts. He requested thoughts from the board.

Motion by Selectman Dalton: to have the Town Manger add in $135,000 to the override budget to keep all 5 fire stations open 365 days, 24 hours a day, 7 days a week. Selectman Jeannotte seconded the motion.

Selectman Wojtas confirmed the amount with Mr. Cohen. Selectman Eliopoulos asked if there were any scheduling considerations that could potentially reduce the amount needed to achieve the goal. Mr. Cohen spoke of the contractual constraints regarding scheduling and the manning needed for 5 stations, stating the amount could not be reduced.

Chairman Chase asked if other cuts would be made to make up the $135,000 addition. Selectman Jeannotte asked if we could return to this motion once any other possible cuts were identified. Selectman Chase asked if we were requesting to reorder the budget priorities, and the Town manager stated that yes, this is what this would be. It was agreed to come back to the motion after further discussion.

Chairman Chase asked that we start discussion on any other amounts to question in the override.

Selectman Wojtas asked Mr. Cohen about the Recreation program and what the amount was that would be saved due to the consolidation with the Community Ed program; about the Assistant to the Town Manager position which is cut from the "no-override budget but still in the override budget, and if there were any other areas he may be willing to

consider. Mr. Cohen commented that MIS consolidation provides no savings as there is only one employee.

Selectman Jeannotte listed all estimated amounts raised for consideration as an adjustment to the initial override amount of $3,330,251 on the whiteboard.

Selectman Eliopoulos asked if the Police Cruisers in the operating budget for the first time could be moved back to capital, consistent with past years? Selectman Jeannotte commented that the same issue exists with the School Technology, and is a continuation of a change in practice begun last year with other departments. Mr. Cohen stated that this would continue under funding infrastructure needs if further cuts to the proposed capital plan were required to add the police cruisers back in. Selectman Eliopoulos asked if the shift of Police Cruisers from the Capital budget to the operating budget made sense in this particular year, since it is could be a similar amount to the cost of positions being reduced? Chairman Chase asked if this were moved back, what would the Town Manager defer? Mr. Cohen stated he would need to evaluate that. The Board discussed the frequency of replacement of the school technology now (8 years per School Committee Chairman Duffet) and police cars (3 years). Selectman Eliopoulos inquired about the ongoing need for all DPW Engineers given the slowing construction environment.

Selectman Jeannotte asked if there were any crossover in duties from DPW to Sewer not previously accounted for. Mr. Cohen stated that no, the sewer employees are not included in DPW, except the DPW Director who is properly allocated. Selectman Jeannotte asked if there were reason to reconsider the shift of Cafeteria benefit costs to the School Lunch revolving account, given that MGL seems to require this once you actually allocated benefits to other revolving accounts, which we began in recent years with Community Ed. The Board discussed at length who should be making the decisions of what the School Committee could cut, and noted that while the School Budget allocation is not the role of the Board, the amount of the override is. School Committee Chairman Duffett was recognized by Chairman Chase. She stated that the School Committee meets Tuesday and will entertain a possibility of reducing their override request, but cannot commit until after the full committee meets and votes. Selectman Dalton stated that the Schools need to meet and vote. Selectman Wojtas stated she wanted to have a final number tonight, but wanted the Schools to determine their own priority. It was generally agreed that the Board would wait until the School Committee met Tuesday to learn what they were willing to consider.

Selectman Eliopoulos stated that he was personally not supporting a menu style override. The Chair asked if all were agreed and it was agreed. Selectman Eliopoulos stated that he would also like to avoid the tiered approach. He initially wanted a smaller amount, and feels it is important to show that some reductions are being made, that a single question will show a less confusing and simpler approach to the community, and that with a Tiered approach it is nearly guaranteed the lowest amount is all that has a chance to pass, assuming confusion is able to be avoided.

Chairman Chase summarized: There is likely to be a better chance of passing if the town moves away from seeking level services and the Board and manager are ready to propose additional cuts on the municipal side. Can the schools do the same Tuesday, and give us the amount before the Wednesday meeting.

Town Manager Cohen listed the actual amounts for each item considered on the whiteboard, as follows:

$ 995,823	Initial General Government override proposal
(120,919)	Recreation Department-permanent consolidation savings
(60,850)	Assistant to the Town Manager position & benefits
135,000	Fire Department overtime to keep 5 stations open daily
(53,060)	Reduce one DPW Engineer
(177,000)	Fund Police Cruisers from Capital Budget instead of something else
$(276,829)	Total Reductions (27.8%)
$ 718,994	Revised general government override proposal

Selectman Eliopoulos asked about the impact of Library cuts; it is mostly to keep open the same hours as presently.

Selectman Dalton's initial motion, having been duly seconded, was returned to:

Motion: To have the Town Manger add in $135,000 to the override budget to keep all 5 fire stations open 365 days, 24 hours a day, 7 days a week. Approved unanimously.

Chairman Chase asked if there were any other questions.

Selectman Eliopoulos offered to summarize, yet withhold voting until Wednesday: The sense of the Vice Chair is that a single question override has been agreed; that the Board directs the Town Manager to look at certain areas of the budget to bring the general government portion of the override down from $995,823 to $718,994 as listed, and asks that the school committee undertake a similar process at their Tuesday meeting with the hope that a lower School amount may be proposed on Wednesday, but the Board of Selectman will not be bound by the decision of the School Committee in setting the final amount. There was no disagreement.

Town Manager Cohen asked for clarification from the Schools regarding the number of Elementary teacher being cut in the plan; this was responded to.

Chairman Chase asked if the Board wanted to take up the pending issue of goals this evening, and the consensus was to defer it.

Selectman Jeannotte asked about the longer term (2010-2013) forecast and if the manager had tried to update it since the October version. The Manager discussed the outlook in general terms. The Board briefly discussed the ongoing structural issues that many towns are facing, and the reliance on many factors to resolve it. The cuts in State aid years ago,

coupled with growth rates in certain costs greater than 2.5% supports, have made this unavoidable.

Motion: Selectman Eliopoulos made a motion to adjourn at **6:55 p.m.** Selectman Jeannotte seconded the motion. Motion unanimously carried.

Respectfully submitted,

Clare Jeannotte, Clerk

approved 2/25/08

TOWN OF CHELMSFORD
BOARD OF SELECTMEN MINUTES Joint Meeting
Wednesday, February 6, 2008
School Administrative Office Building

Board of Selectmen Attending: Chairman Samuel Chase; Philip M. Eliopoulos; Clare Jeannotte; Patricia Wojtas; William F. Dalton,

School Committee Attending: - Kathy Duffett, Chairman, Angelo Taranto, Evelyn Thoren, Kevin Porter, Christina Walsh, Dr. Karen Mazza, Dr. Donald Yeoman, School Superintendent

Finance Committee Attending: Chairman Donald Van Dyne; David Turocy; John Kurland; Dwight Hayward

Paul Cohen, Town Manager
John Sousa, Finance Director/Treasurer

7:30pm
Chairman Chase called the meeting to order. Chairman Chase stated that Town Manager, Paul Cohen would present a financial update followed by Superintendent, Dr. Donald Yeoman.

Opening Statement
Chairman Chase began the meeting by informing the group of the prior meetings and discussions held by the Board of Selectman, the Finance Committee and the School Committee, jointly as well as individually, regarding the resolution of the Fiscal Year 2009 Operating Budget reconciliation of revenue versus projected expenses. They have arrived at the conclusion that they will include an override question on the April 1, 2008 ballot. Tonight's meeting is designed to bring that decision to a conclusion. The Board of Selectmen will be taking a vote as to the purpose, format and the dollar amount of the proposed override. Mr. Chase turned the meeting over to Town Manager Cohen for a current financial update.

Current Financial Presentation
Town Manager Cohen briefly reviewed the meetings held over the past week and summarized the financial changes made this week on the general government side. Last week, $3.3 million dollars was the difference from the Town's budget that balanced within the constraints of opposition 2 ½ and what was referred to as the level service budget. At the Board of Selectmen meeting on Monday, the Board of Selectmen left with cuts that totaled $275,000. At last night's School Committee meeting the School Committee agreed to a budget adjustment of $225,000, which brings the Town to an override proposal of $2.8 million dollars. Of that $2.8 million dollar proposal, the School Department component would be $2.1 million dollars and the General Government component would be $700,000.

Mr. Chase asked Mr. Cohen to explain to the audience what is meant by the concept of "Level Service".

Town Manager Cohen explained what "Level Service" means to the Town of Chelmsford. He explained, when the Town issued the budget requests this fall to all department heads including the School Department, they were asked what it would cost to run their department and maintain the current level of operation they provide in the community this year, in the next fiscal year. What that means, for example, would be if the fiscal year did not end on June 30th and things just continued, what happens is that items take place such as inflation. Other items take place such as contractual agreements that provide for salary and payroll adjustments on July 1 as a result of contracts or advancement in educational steps by educators etc. So the question becomes, "What would your cost be if that should take place? What is going on in terms of utility costs?" So that by definition is a level service budget. So the question was issued, "What would it cost and how would you maintain and provide the residents with the same level of services to the community that they are receiving in the current fiscal year to the next fiscal year?" Town Management gathered the information and quickly determined they could not meet the operating budget within those constraints of proposition 2 ½.

Town Manager Cohen had to, in accordance with the charter, 90 days before Town Meeting, produce a budget for fiscal year 2009 that is balanced for the community and does not call for an override. In order to do that, there were cuts that were necessary across various departments in the Town. The Finance Committee held a series of meetings in the fall and early winter with various departments, trying to understand the impact if they were to receive reductions in funding. The School Committee developed three different alternatives. After the receiving input from the public hearings on the three options, the School Committee presented a one level scenario. The Board of Selectmen then asked the School Committee, after making several cuts of their own, if they could reexamine their budget to see if there were any modifications that could take place in order to bring the override request down from the current level of $3.3 million dollars.

Town Manager Cohen went on to explain that the Board of Selectmen has directed him to present this proposal a level of $2.8 million dollars. The School Department based on their actions will comprise $2.1 million of that request and the General Government will comprise approximately $700,000.00. The projected increase to the average single-family tax bill is estimated at $200.00.

Town Manager Cohen then explained the changes that have taken place during the week within the School Committee.
The School Committee has voted to make a modification to the school lunch program in which the School Department has agreed to absorb the cost of the employee health insurance premiums, which is approximately $225,000 into the programs operations. This will take place whether the override passes or not. This means that the override request of $3.3 million dollars now lessens by $225,000.00. In terms of the non-override budget, Town Manager Cohen, when he presented the budget for the community, had not

made any accounts for any change in benefit levels for the school because up until this time it was unclear as to what avenues and directions the School Committee would take to bring their budget into conformance with the $1.4 million dollars that he provided for them in the budget increase. By this effort of bringing in the $225,000.00 or otherwise reductions to the health insurance budget, that requires not only a reduction in the modification for the override request but it also modifies the no override budget. Town Manager Cohen has reduced the benefit for the insurance line item in the overall town budget by $225,000 and adjusted the school's non-override budget upwards by $225,000 as an offset. This money can be allocated into the School Department budget directly. The School Department is now responsible for funding the health insurance costs for their employees. The reason for that is because the School Department does not account for the employee benefits within that School Department Budget.

On the General Government side, The Board of Selectmen met on Monday of this week. At this meeting they expressed their concern regarding the overall amount of the proposed override of $3.3 million dollars. They had a discussion to try to find other means they could bring the level of the request down without directly affecting the service that residents would see in their daily activities. They were able to bring $275,000 back into the budget by reallocating or eliminating a few budget items/positions. These items are:

- Assistant to the Town Manager: $60,000
- DPW Engineer: $53,000
- If the override were to pass, they transfer the purchase of police cruisers from the operating budget to the capital budget: $177,000
- Consolidation of the Recreation Program into the Community Education Department: $120,000
- All Fire Station remain open 24/7/365 added: ($135,000)

The override would fund?

- Avoids reductions in education service delivery
- Keeps all five fire stations open throughout the year. Avoids the reduction of 4 firefighter positions.
- Preserves library staffing and current hours of operation.
- Funds Council on Aging and other departmental programs at current service level\
- Keeps two Police Patrolmen positions and support staff

Town Manager Cohen detailed the budget (see attached Financial Summary).

Town Manager Cohen turned the meeting over to Superintendent, Dr. Donald Yeoman.

Dr. Yeoman reviewed the plan for reduction in services for the Chelmsford Public Schools should an override NOT pass as noted below:

Reductions	Amount
▪ Latin teacher (1.0)	$50,000
▪ Art (1.0)	50,000
▪ Music (1.0)	50,000
▪ Kindergarten PCP's (5.0)	55,000
▪ Redistricting/Consolidating (21.8)	1,025,000
▪ Increase of Athletic/Activity Fees	150,000
▪ Transportation Fees	350,000
▪ Reduce one elementary shared custodian, two secondary custodians and summer custodial staffing (3.0)	200,000
▪ Reduce technology equipment	100,000
▪ Reduce clerical portion of PCP's (2.0)	25,000
▪ Reduce Middle School Integrated Technology Specialist (1.0)	65,000
▪ Eliminate two elementary classroom teachers (2.0)	100,000
Subtotal Reductions (37.8 FTE's)	**$2,220,000**

Essential Needs	Amount
▪ Add two grade 5 and 6 Middle school teachers to reduce class Size (+2.0)	($100,000)
▪ Add .4 Spanish Teacher at Middle Schools to reduce class Size (+.4)	(20,000)
Subtotal Essential Needs (+2.4 FTE's)	**($120,000)**
Total Net Reductions (35.4 FTE's)	**$2,100,000**

Dr. Yeoman commented that the School Committee does not support these reductions. They would try to keep the class sizes under 30. He does not feel these reductions are positive for the district with children of the community, but they are prepared to make these reductions.

Chairman Chase, at this time, opened the meeting questions. There were no questions. Chairman Chase summarized the options and the actions the Board of Selectmen can take this evening. As already stated they plan to place a question on the April 1st ballot. By law, they can propose this in three different options. They can propose a single question, or a menu. On a menu option, they list different areas of the budget they wish to fund and there is a dollar amount attached to each one of those and people can choose. The third option is a pyramid approach where you have a question with increasingly higher amounts assigned to the funding of that issue.

Motion: A motion was made by Selectman Philip Eliopoulos that the Board of Selectmen on April 1, 2008, put an override question on the Town wide election ballot for the town residents to vote on. The override would take the form of being a single question. The purpose of the override would be to fund General Operating expenses of the Town of Chelmsford and the amount of this single override would be of the amount

of two million eight hundred thousand dollars ($2,800,000.00). Clare Jeannotte seconded the motion. No discussion. All in favor. Unanimous. The motion passed.

With no further business, Chairman Chase entertained questions from members of the press.

Question 1- In the event of a non-override would a fire station close? If so, which? - Ms. Savard
Town Manager Cohen answered that a fire station would close and it would be South Station.

Question 2- If the override were not to pass, would the budget cut include the closing of 1 elementary school? –Ms. Savard
Dr. Yeoman answered yes.

Question 3-Addressing the $225,000.00 that the cafeteria program will absorb into their operations-Will the $225,000.00 remain the responsibility of the cafeteria workers the way it has been mapped out or can that be shift a bit? –Mr. Metzger
School Committee Chairman, Kathy Duffett, answered that the $225,000 was a commitment by the School Committee to reduce the burden on the municipal side for paying insurance for their employees who currently are serving the food services. They will absorb the health insurance cost and take some time to determine how they will reorganize and vitalize the food services program so they can continue provide a nutritious and healthy lunch and minimize the impact on the parents with the increased cost. But at a minimum, the lunch prices will go up. They will develop a healthy plan. This plan will happen regardless to reduce the burden on the municipal side.

Question 4- Have you decided to choose a school to close if the override does not pass? -Mr. Metzger
School Committee Chairman, Kathy Duffett, answered that a school will close, it has not been decided which, but when a decision is made, they will take their guidance from the Superintendent and the Business office. They will be discussing this in a public discussion. The most important thing to consider is that one elementary school will close, but it will cause redistricting of all elementary and middle school students.

Question 5-This decision will be made only if the override fails? –Mr. Metzger
Kathy Duffett stated they would contemplate the plan and make sure they have a thoughtful decision process that will be public and informative. They will have to decide which school, but they have not yet had that discussion but when they do it will be in public form and it will be very clear why a school was chosen.

Question 6- Regarding the $2.8 million dollars that is going on the ballot-the spreadsheet says it comes to $2,820,823.00. What will happen to the $20, 823.00. Where will that come from? -Mr. Christiano
Chairman Eliopoulos answered that the number was rounded off and the remainder will be found within the town budget.

Kathy Duffett expressed her thanks and appreciation to Mr. Cohen, Dr. Yeoman, the Board of Selectman and the Boards because she feels that this has been a very united, honest and comprehensive process. They have come to a great consensus and she is very pleased and proud to be a member of such an effective team.

Chairman Chase echoed the sentiments.

Selectman Eliopoulos stated he feels that next step for the committees to take should be to provide a public information session. He feels the interest will increase now with the decision to put the override on the ballot. A leadership group can take up at their upcoming meeting to having a public information session again up at the Senior Center detailing exactly what the override will look like, what will happen if it is not successful, how it will affect the tax payer and what options might be available to people who may find it difficult to make ends meet. This should happen shortly after February vacation. It is something that the three boards can come together and provide.

Chairman Chase agreed and expressed that it is his urgent hope that the boards collectively and as individual boards come out in full support of the action that has been taken tonight. He does not feel it will benefit the community to feel the boards are not united behind this effort. He asks all boards to take a formal position on this and make this position public. One town, one team!

Chairman Chase ended with expressing how proud he is of the Board of Selectmen, Town Manager Cohen, The Finance Committee, The School Board, Dr. Yeoman and the respective administrative staffs. This has been a monumental and unprecedented collaborated effort and he is proud of the effort.

Chairman Jeannotte stated on her behalf, this was a process that took a long time in order to come up with, what they felt, was the most equitable and reasonable number to put out there for the consideration of the tax payers. She feels everyone in the room is able to fully answer any questions they may have. She also wants to address the fact that there was some confusion in the community at large about what action the Board of Selectmen was going to take to the form of this question and she would like to say there was never any decision before their work session the other night on what that formal question was going to be. The confusion being that people had thought the Board of Selectmen had made up their minds and she would like to say that in order to come to the right decision they had to consider each option that the law provides and that was the process they went by. She reiterated that the residents please ask any questions they may have and the Board of Selectmen believe this is the right thing to do. Overall increase in the budget without this override next year is less than 1 % maybe .8% and a town cannot operate like that.

Motion: A motion was made by Philip Eliopoulos to adjourn the meeting at 8:03 pm. Clare Jeannotte seconded the motion. No discussion. All in favor. Unanimous. Motion passed.

Respectfully submitted,
Kelly M. Guilmette

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA
February 25, 2008

Town Offices
50 Billerica Rd.

7:00 p.m. Call to Order

Public Service Announcements

- **CPL Annual Volunteer Fair**
- **Town of Chelmsford Scholarship Month**
- **Proclamation – Jane Drury**

Open Session

-

Scheduled Business

7:30 p.m. Knights of Columbus - One Day All Alcohol License
March 8, 2008

7:35 p.m. Street Acceptance – Woodlot Lane

7:45 p.m. DG Clean Power – Billerica Power Plant

8:00 p.m. Roy Earley – Presentation in opposition of Billerica Power Plant
Leo Manning – Chelmsford Resident &
Member of "Billerica Watchers"

Town Manager Appointments

- Deputy Constables

Town Manager Reports

- Draft Spring Annual Town Meeting Warrant

BOS Meeting Minutes

- BOS Regular Meeting Minutes January 7, 2008
- BOS Executive Session Minutes January 23, 2008
- BOS Work Session Minutes February 4, 2008
- BOS Joint Meeting Minutes February 6,2008

***** This meeting is televised. *****

Unscheduled Business

- Proposed 40T Legislation
- School Medicaid Revenue
- US Conference of Mayors Energy Block Grant Letter
- BOS Policy Review Update

Selectman Referrals

Press Questions

Executive Session

Next Regular Meeting: March 10, 2008

approved
4/22/08
posted
4/25/08

TOWN OF CHELMSFORD
BOARD OF SELECTMEN MINUTES
Monday, February 25, 2008
50 Billerica Rd, Chelmsford

Attending:
Samuel Chase, Selectman Chairman
Philip M. Eliopoulos, Selectman Vice Chair
Clare Jeannotte, Selectman Clerk
Patricia Wojtas, Selectman
William F. Dalton, Selectman
Paul Cohen, Town Manager

7:03pm
Chairman Chase called the meeting to order.

Public Service Announcement's:

1. Selectman Eliopoulos announced that Volunteer Fair on March 22, 2008.
2. Selectmen Eliopoulos read into the record a proclamation proclaiming March Scholarship month. Neil Lehrer thanked the Board.
3. Selectman Eliopoulos read a proclamation for Jane Drury.

Open Session:
None

Meeting Minutes:

Motion: Selectman Eliopoulos made a motion to approve the January 7, 2008 regular meeting minutes. Selectman Jeannotte seconded the motion. Motion carried.
Motion: Selectman Eliopoulos made a motion to approve but not released the January 23, 2008 Executive Session Meeting minutes. Selectman Jeannotte seconded the motion. Motion carried.
Motion: Selectman Eliopoulos made a motion to approve the February 4, 2008 work session minutes. Selectman Jeannotte seconded the motion. Motion carried.
Motion: Selectman Eliopoulos made a motion to approve the February 6, 2008 joint meeting minutes. Amended: Page 6 Selectman not Chairman Jeannotte; School Committee listed John Souza as Business Manager; Page 5 not Chairman Eliopoulos but Chairman Chase; Page 2 strike the words outside revenue after the sentence regarding revolving accounts; Page 3 bullets for override needed to include decrease in police staffing. Selectman Jeannotte seconded the motion. Motion carried.

Town Manager Appointments Deputy Constable:

Motion: Selectman Eliopoulos made a motion to approve the following deputy constables: John MacGilroy of 234 Main Street, Chelmsford; Thomas Buntel of 188 Dunstable Rd, Chelmsford; Judith Goffin of 19 Cathy Road, Chelmsford; Kevin Whippin of 168 Groton Rd, N. Chelmsford; Francis Fraine of 24 Floyd St, Billerica; Ken White of 22 Mt. Auburn, Chelmsford; Kieran Lennon of 5 June St., Dracut.

Follow-up on CORI checks needed to be done. Selectman Jeannotte seconded the motion. Motion carried.

BOS Policy Review Subcommittee Update:
Selectman Wojtas stated she and Selectman Jeannotte have gathered Chelmsford policies and are in the process of reviewing them.

School Medicaid Revenue:
Mr. Cohen discussed the issue with the Board.

Motion: Selectman Eliopoulos made a motion to send a letter of support for the Medicaid part of local government to appropriate federal officials. Selectman Jeannotte seconded the motion. Motion carried.

US Conference of Mayors Energy Block Grant Letter:
Mr. Cohen requested a motion from the Board

Motion: Selectman Eliopoulos made a motion to send a letter of support to the congressional delegation and deputy Debra Howard concerning the Energy Efficiency Block Grant Program. Selectman Jeannotte seconded the motion. Motion carried.

Proposed 40T Legislation:
Selectman Eliopoulos commented on new 40T regulations proposed and the lack of autonomy and conflict it brings to the process. It is opposed by MMA and Representative Atkins has asked to determine the Board's view with respect to this proposal.

Motion: Selectman Eliopoulos made a motion to send a letter of support to the state delegation and governor to oppose 40T legislation. Selectman Jeannotte seconded the motion. Motion carried.

Knights of Columbus-One Day All Alcohol License:

Motion: Selectman Eliopoulos made a motion to approve a One Day all Alcohol license to the knights of Columbus on March 8, 2008 to Steven Brenner, 39 Carl St. #36, Lowell event to be held at St Mary's Church from 7pm-11pm. Selectman Jeannotte seconded the motion. Motion carried.

DG Clean Power-Billerica Power Plant:
Theodore A. Barten, PE representing Joe Fitzpatrick of DG Clean Power presented how the plant would work and what it would consist of. Mr. Barten noted that DG had to be approved by three state agencies (EFSB, MEPA and DEP) before it can construct a new plant as well as local approval from Billerica. Mr. Barten stated that there was no risk to the water supply and that DG was in compliance with pollution standards. A procedure had been reviewed with all local fire officials and the property would be fenced. Mr. Barten explained how ammonia was used at the plant and that it was kept in an enclosed tank. Mr. Barten commented that the plant could run more than the maximum 2000 hours DG is applying for but would have to go though an involved process with all three state agencies (MEPA, DEP and ESB). Mr. Barten stated that the plant would be

unmanned, but controlled by the employees at the Lowell plants and would run infrequently except high level times such as a hot day. Mr. Barten gave an expected timeline for the plant.

Public Input

1. Roy Earley, a Chelmsford resident presented to the Board. Mr. Earley stated that there would be three impacts if the plant is created: 1. Air Pollution 2. Water Pollution 3. Public Safety. Mr. Early opposed the plant and requested that the Board vote against the plant.
2. Leo Manning, a Chelmsford resident and member of "Billerica Watchers" was concerned with air quality. Mr. Manning was concerned with the number of plants in the area and there was potential that the plant could run all of the time. He expressed concern regarding the 80' high stacks. Mr. Manning requested that the Board send a letter to state representatives opposing the plant.
3. Fred Marcks, former resident of Chelmsford, pointed out the pitfalls of the project through his background and experience in security and terrorism.
4. Susanne Dahlberg, resident stated possible long term health impacts if the plant is contracted.
5. Jackie Cunniffe, Belmont Drive Chelmsford, Spoke
6. Marianne Calding, resident stated her fears as a mother on the public health risks.
7. Cynthia Brush, resident stated that her child has asthma and was concerned with the plant.
8. Dawn Cabeca of Sandra Drive opposed the plant and the possible risk of a terrorist attack.
9. Judy Lucciano of Tewksbury, granted full intervening power in the process opposed the plant.
10. Joseph Anderson, Evergreen St. Lowell, stated that any money given was a bribe.
11. Caroyln Arad stated that EHE got their data from Earth Tek, not an independent source, and opposed the plant.

Motion: Selectman Eliopoulos made a motion to send a letter of support to the appropriate bodies opposing the Billerica Power Plant and to invoke support for legislation that would ban power plants in proximity of schools and where residents live and reside. Chairman Chase and Vice Chair Eliopoulos would compose the letter to send and Selectman Dalton would look into current legislation. Selectman Jeannotte seconded the motion. Motion carried.

Town Meeting Warrant:

Mr. Cohen briefly explained the warrant articles and stated that he was waiting to hear back from Town counsel on stipend issues.

Town Manager Reports:

1. Snow/Ice- Mr. Cohen reported that the Snow/Ice budget would be taken up at Town Meeting.
2. Mr. Cohen listed upcoming meetings for FinCom on March 13th at the Senior Center.

3. Mr. Cohen reported that Hillside Garden was approved.

Selectman Referrals:

Selectman Dalton made the following referrals.

1. Selectman Dalton suggested having a permanent Building Committee.

Selectman Eliopoulos made the following referral(s):

1. Selectman Eliopoulos sought a legal opinion from Town Counsel if the Board could request any municipal building closing.

Motion: Selectman Eliopoulos made a motion to ask Town Counsel to look into whether the BOS has authority or overseeing power in closing a municipal building.- Selectman Jeannotte seconded the motion. Motion carried.

Selectman Jeannotte made the following referral(s):

1. Selectman Jeannotte commented on her recent meeting with other Chelmsford officials at the State house with Representatives Hall and Atkins to receive more Chapter 70 money.

Selectman Wojtas made the following referral(s):

1. Selectman Wojtas commented on recent 4B regulations conference on May 15th.
2. Selectman Wojtas commented on the upcoming event at the library.

Chairman Chase made no referrals.

Press Questions:

Motion: Selectman Dalton made a motion to adjourn at **10:30pm.** Selectman Jeannotte seconded the motion. Motion unanimously carried.

Respectfully submitted,

Patrice Garvin

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA
March 10, 2008

Town Offices
50 Billerica Rd.

7:00 p.m. Call to Order

Public Service Announcements

-

Open Session

-

Scheduled Business

7:30 p.m. Candidate for Selectman; Eric Dahlberg

7:35 p.m. Incumbent; Samuel Chase

7:40 p.m. Frank Reen – Assessment of Mobile Homes, Appellate Tax Board Ruling re: property taxes on poles and wires on public ways

7:50 p.m. Pat Maloney – Fire DPW Feasibility Study Contract Award

7:55 p.m. Dennis Bak – Fiber Optic Network Contract

8:00 p.m. Street Acceptance – Woodlot Lane

8:05 p.m. Saint John – One Day All Alcohol, Saturday March 15 2008

8:10 p.m. David Hedison – Home Rule Petition, CHA – Choice Village

BOS Meeting Minutes

- BOS Executive Session Minutes July 23, 2007
- BOS Regular Meeting Minutes December 17, 2007
- BOS Joint Meeting Minutes January 10, 2008
- BOS Work Session Minutes January 23, 2008
- BOS Regular Meeting Minutes January 28, 2008

***** This meeting is televised. *****

Town Manager Appointments

- Bruce Freeman Rail Trail Liaison –Cynthia McLean
- Planning Board Liaison to the Merrimack Valley Housing Partnership – Pamela Armstrong

Town Manager Reports

- Updated Five-Year Financial Forecast

Unscheduled Business

- BOS Meeting Dates
- Solid Waste Advisory Committee's Recommendations
- Legislative Support for Local Option Taxes
- Sign Warrant for Spring Town Meeting

Selectman Referrals

Press Questions

Executive Session

Next Regular Meeting: March 24, 2008

approved 5/19/08
as amended

TOWN OF CHELMSFORD
BOARD OF SELECTMEN MINUTES
Monday, March 10, 2008
50 Billerica Rd, Chelmsford

Attending:
Samuel Chase, Selectman Chairman
Philip M. Eliopoulos, Selectman Vice Chair
Clare Jeannotte, Selectman Clerk
Patricia Wojtas, Selectman
William F. Dalton, Selectman
Paul Cohen, Town Manager

7:03pm
Chairman Chase called the meeting to order.

Open Session:

1. Joel Karp, Derringer Road requested that the Town have adequate Legal Counsel at Town Meeting.

Frank Reen, Assessment of Mobile Homes:
Mr. Reen gave the Board a history of poles and that the DOR has stated that poles on a public way can be taxed. Mr. Reen stated that this ruling might be challenged.

Mr. Reen stated that in regards to the Mobile Homes research has been done with Town Counsel. The property owner, where the 255 mobile home units are being taxed, has filed for abatement. Mr. Reen stated that the research for taxing the homes has been going on for two years. Mr. Reen went through the assessed value of the homes and what the cost would be for taxing at $30,000 per unit.

Public Input

1. Denise Rosslin 120 Morocco stated that Chelmsford would be the only community to tax the mobile homes. That the extra tax is unfair
2. Judy Scott commented on the burden on the residents.
3. Suzanne Shallor, of 186 Mason stated that times are tough and that many are on a limited income. Chairman Chase pointed out that mobile home values might decrease.
4. James McGrath, 195 Mason Ave. asked what extra service they would get from the Town. Mr. Cohen pointed to the service of schools, roads and police. Mr. McGrath noted that the home is harder to sell with additional taxes on it.
5. Jack Leland, of Mason Ave stated that mobile homes do not appreciate in value and that each mobile home is valued at a different amount and should not be assessed at the same amount.
6. Gregg Haladyna , representing the owner stated that the owner has filed for abatement.

7. Lonnie Lathur discussed the extra burden on people who cannot afford extra taxes.

Candidate for Selectmen:
Eric Dahlberg, 344 Boston Road gave a brief synopsis of his professional career. Mr. Dahlberg requested votes for the upcoming election.

Samuel Chase gave his history in serving the Town and his personal integrity. Mr. Chase reviewed the past three years on the Board and the positive accomplishments. Mr. Chase asked for votes in the upcoming election.

Fire DPW Feasibility Study:
Mr. Maloney, Chairman of the Committee stated that four finalist for architects were interviewed. Mr. Maloney requested that the Board allow a feasibility study to be conducted by the winning finalist. Discussion ensued concerning whether or not the Board should approve the study. Selectman Eliopoulos wanted to delay the vote until after the election.

Motion: Selectman Eliopoulos made a motion to authorize the Town Manager to enter into negotiations and contract with Weston & Sampson H&T Architects for the Fire Dpt./DPW feasibility study up to the limit of $75,000. Selectman Jeannotte seconded the motion. Motion carried. (4-1 with Selectman Eliopoulos dissenting)

Saint John, One Day All Alcohol License:
Motion: Selectman Eliopoulos made a motion to approve a One-Day all alcohol license to St. Johns church, 115 Middlesex Rd for a St. Patrick's Day Dinner Dance on March 15, 2008 from 5pm-midnight.

Dennis Bak, Fiber Optic Network Contract:
Mr. Bak requested that the Board award a contract to install a fiber network, a phased implementation, cutting over wires presently on poles. The monies for this project is from the Capital Plan approved at Town Meeting. Mr. Cohen agreed with the recommendations from the IT Committee.

Motion: Selectman Eliopoulos made a motion to approve the fiber installation of the Town to Comm-Track Corp, 102 Clamatis Ave, Waltham not to exceed $380,000. Selectman Jeannotte seconded the motion. Motion carried.

Street Acceptance, Woodlot Lane:
Stephen Yanney, Assistant Town Engineer and explained the history of the project.

Motion: Selectman Eliopoulos made a motion to approve Woodlot Lane as a public way. Selectman Jeannotte seconded the motion. Motion carried.

David Hedison, Home Rule Petition, CHA, Choice Village:

Mr. Hedison explained the CHA project and discussed how he needed to have an article at Town Meeting to go for a Home Rule petition authorizing waiving part of MA Law Chapter 149. Mr. Hedison asked for the Board's support.

Approval of Minutes:

Motion: Selectman Eliopoulos made a motion to approve the following minutes: July 23 Executive Session, December 17th, January 10th Public input, January 23rd and January 28th. (As Amended) Selectman Jeannotte seconded the motion. Motion carried.

Town Manager Appointments:

1. *Bruce Freeman Trail Liaison-*

Motion: Selectman Eliopoulos made a motion to approve the appointment of Cynthia McLean, 83 Proctor Rd to the Bruce Freeman Rail Trail Liaison to expire June 30th 2008.

2. MVRHC-

Motion: Selectman Eliopoulos made a motion to approve Pamela Armstrong to the Merrimack Valley Regional Housing Consortium. Selectman Jeannotte seconded the motion. Motion carried.

Town Manager Reports:

1. *GIC Health Insurance-* Mr. Souza gave a summary of the overall forecast for revenue, expenditures and debt service. Mr. Souza discussed Local Receipts such as excise tax may see some growth. Mr. Souza noted that education and personnel expenses would be increasing. Mr. Cohen explained a savings if the Town adopts the GIC state health insurance plan, but unions would have to agree to a 70% rate. Mr. Souza projected deficits for FY10-FY13. Discussion ensued to what the forecast looked like if the override passed. Mr. Cohen noted that the Town was still awaiting word from the state if the school reimbursements would come through for the Town.
2. Mr. Cohen noted that the state legislature was looking into raising local aide.
3. Mr. Cohen related to the Board upcoming meetings and events in Town. The Board also discussed upcoming meeting dates.

Solid Waste Task Force Recommendations:

Selectman Jeannotte was in favor of increasing recycling pick-ups. Mr. Cohen noted that there is a citizen petition this year's Town Meeting in regards to trash. Discussion ensued concerning the Recycling Task Force's report. Chairman Chase stated that any action by the Board should occur after Town Meeting.

Legislative Support Letter:

Motion: Selectman Eliopoulos made a motion to send a letter to the legislative delegation regarding the support of local option taxes. Selectman Jeannotte seconded the motion. Motion carried.

Town Meeting Warrant:

Selectman Eliopoulos wanted to discuss Stipends. Mr. Cohen stated that he has not heard from the Ethics Commission on the issue and will have their decision by the next meeting. Selectman Eliopoulos noted the new cruisers on the Warrant. Mr. Cohen explained that if the override passes the money would be there for the cruisers.

Selectman Jeannotte asked about Article 12, the Town Run Ambulance. Discussion ensued as to if this article should be pulled until the Board hears the Ambulance Study final report. Mr. Cohen disagreed and suggested that the article remain on the Warrant as is for now.

Motion: Selectman Eliopoulos made a motion to post the spring Town Meeting Warrant. Selectman Jeannotte seconded the motion. Motion carried.

Selectman Referrals:
none

Press Questions:
none

Adjournment:

Motion: Selectman Dalton made a motion to adjourn at **11:10pm.** Selectman Jeannotte seconded the motion. Motion unanimously carried.

Respectfully submitted,

Patrice Garvin

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA
March 24, 2008

Town Offices
50 Billerica Rd.

7:00 p.m. Call to Order

Public Service Announcements

-

Open Session

-

Scheduled Business

7:30 p.m. Nashoba Valley Regional Vocational School Committee Appointment, Sam Poulten – Candidate for re-appointment

7:35 p.m. One Day All Alcohol – Saint Vartanantz, April 19, 2008

7:40 p.m. One Day Beer & Wine, Lowell Five, March 26

7:45 p.m. Common Victualer - Adams Corner Variety

7:50 p.m. Carven Catering – Change of Location, from Acton Road to Central Square

7:55 p.m. One Justin Road Drainage Easement

8:00 p.m. John Thibault - Ambulance Study Committee Report

8:30 p.m. Jack Parow – Dept. Homeland Security S.A.F.E.R. Grant

8:45 p.m. Jim Murphy - Red Light Cameras

Town Manager Reports

- GIC Health Insurance

***** This meeting is televised. *****

BOS Meeting Minutes

- BOS Executive Session Minutes January 7, 2008
- BOS Joint Meeting Minutes January 30, 2008

Unscheduled Business

- Keno To Go

Selectman Referrals

Press Questions

Executive Session

Next Regular Meeting: April 7, 2008

approved as amended 5/19/08

TOWN OF CHELMSFORD
BOARD OF SELECTMEN MINUTES
Monday, March 24, 2008
50 Billerica Rd, Chelmsford

Attending:
Samuel Chase, Selectman Chairman
Philip M. Eliopoulos, Selectman Vice Chair
Clare Jeannotte, Selectman Clerk
Patricia Wojtas, Selectman
William F. Dalton, Selectman
Paul Cohen, Town Manager

7:00pm
Chairman Chase called the meeting to order.

Open Session:

1. Karen DeDonato, 4 Archibald Way thanked the Board for putting the override question on the ballot. Ms. DeDonato also asked that the Ambulance Committee continue their work and to continue to discuss the proposal.

Approval of Minutes:

Motion: Selectman Eliopoulos made a motion to approve the Executive Session Minutes of January 7, 2008. Selectman Jeannotte seconded the motion. Motion carried.

Motion: Selectman Eliopoulos made a motion to approve the Joint Meeting of January 30th. Amended: Bill listed as chair twice in minutes; Incorrect Address for Tom Christiano, should be Drew Circle; Page 2 spelling of Rigby, Fall and Rick Mahoney; Delete Mrs. Before Wojtas; Insert Fire and DPW to input gathering. Selectman seconded the motion. Motion carried.

Town Manager Reports:

1. Mr. Cohen gave an update on the GIC state insurance. Mr. Cohen suggested meeting in Executive Session to discuss the alternatives available to the Town through the GIC. Mr. Cohen would provide all of the information at that time.
2. Mr. Cohen updated the Board on the taxation on the mobile park. Mr. Cohen noted that there has been communication between the Town and the mobile park owner.
3. Mr. Cohen reported that he was working with the maintenance supervisor to develop an RFP for the new ice floor in the rink.
4. Mr. Cohen reported to the Board on the appointment of the Animal Inspector, the Board needed no action because it is a state appointed position.

Nashoba Valley Regional Vocational School Committee Appointment, Sam Poulten, Candidate for re-appointment:

Selectman Jeannotte recused herself from the meeting due to a conflict.

The Town Moderator called the meeting to order between the Board of Selectmen and the School Committee.

The Moderator stated that the purpose of the meeting was to appoint a three year term on the Nashoba Valley Regional Vocational School Committee, to expire March 2011.

Selectman Dalton nominated Sam Poulten. Ms. Evelyn Thoren seconded the nomination.

Motion: Selectman Eliopoulos made a motion to close the nominations. Mr. Kevin Porter seconded the motion. Motion carried.

Motion: Selectmen Eliopoulos made a motion to approve the nomination of Sam Poulten to the Nashoba Valley Vocational School Committee. Motion carried (1 abstention)

Mr. Poulten thanked the Boards for their nomination.

One-Day Al Alcohol-Saint Vartanantz, April 19th:

Motion: Selectman Eliopoulos made a motion to approve a one-day all alcohol license to St. Vartanantz Church on April 19 from 6pm-midnight. Selectman Jeannotte seconded the motion. Motion carried.

One-Day Beer & Wine, Lowell Five:

Susan Deman request a One-Day license.

Motion: Selectmen Eliopoulos made a motion to approve a beer and wine license to Lowell Five Savings Bank, 5 Fletcher Street on March 26th from 4pm – 9pm. Selectman Jeannotte seconded the motion. Motion carried.

Common Victualler, Adam's Corner Variety:

Edward Bowie requested a Common Victualler license.

Motion: Selectman Eliopoulos made a motion to approve a CVL to Edward Bowie d/b/a Adams Corner Variety Inc from Sun-Sat from 6am-9pm; no seating on premises. Selectman Jeannotte seconded the motion. Motion carried.

Carven Catering, Change of Location from Acton Road to Central Square:

Judith Carven requested a change of location from the Board.

Motion: Selectman Eliopoulos made a motion to approve a CVL to Judith Carven d/b/a Carven Catering located at 61 Central Square, Unit #7 by appointment only and no seating. Selectman Jeannotte seconded the motion. Motion carried.

One Justin Road Drainage Easement:

Motion: Selectman Eliopoulos made a motion to approve the drainage easement for 1 Justin Road. Selectman Jeannotte seconded the motion. Motion carried.

Ambulance Study Committee Final Report:

John Thibault introduced the members of the committee and presented the Board its final report. Mr. Thibault discussed how the Committee reviewed the Town Manager's Hybrid Proposal. Mr. Thibault stated that the committee concluded no public safety issues with the hybrid proposal. The committee looked at the financials of the hybrid proposal, including projected revenue, billing rates and the number of transports. Mr. Thibault listed the risks to the Town with the hybrid proposal and that additional dispatchers would be required. The committee concluded that the hybrid program would end up costing the town over $99,000. Mr. Thibault noted that the plan would work best if there were four stations open. The committee recommended that the Town not adopt the hybrid plan. The Board asked about getting the back-up material the committee looked at to make their final recommendation. Chairman Chase noted that a minority report had been written and that it was made available to the Board.

Motion: Selectman Eliopoulos made a motion to accept the Chelmsford Ambulance Study Committee final report. Selectman Jeannotte seconded the motion. Motion carried.

Jack Parow, Dept. Homeland Security SAFER Grant:

Mr. Cohen described the grant to the Board. Chief Parow stated that he applied for the SAFER grant. The program allows keeping the level of firefighters at the level the Town has now and the grant covers 90% of the salaries the first year. By the 5th year the grant covers only a portion of the salaries. There is no money at the end of the grant. Mr. Cohen stated that the Town needed to see if the override would pass before going forward. Discussion ensued regarding the potential for the grant if the override passes.

Jim Murphy, Red Light Cameras:

Chief Murphy explained the technology of the red light cameras and the benefits of installing the plan. Mr. Murphy stated that there were no up front costs to the Town and makes roads safer.

Motion: Selectman Eliopoulos made a motion to support a letter to the governor and legislative body regarding red light cameras. Selectman Jeannotte seconded the motion. Motion carried.

Keno to Go:

Selectman Eliopoulos suggested this item be tabled until the next Board meeting.

Selectman Referrals:

Selectman Wojtas made the following referral(s):

1. Selectman Wojtas mentioned the E-Gov award to Town and the upcoming election.

Selectman Jeannotte made the following referral(s):

1. Selectman Jeannotte commented on the Council on Aging video on Town events.

Selectman Eliopoulos made the following referral(s):

1. Selectman Eliopoulos reported that there would be an Economic Summit coming up that could be useful to the Town.
2. Selectman Eliopoulos asked about the No Parking sign on Concord Road.

Selectman Dalton made the following referral(s):
None

Chairman Chase mad the following referral(s):
None

Press Questions:
Andy Metzger of the Chelmsford Independent asked the following questions:

1. Asked to clarify the link between the Ambulance study and the SAFER grant and some particulars of the grant.
2. Asked if Ambulances would still be at local sporting events.

Adjournment:

Motion: Selectman Dalton made a motion to adjourn at **9:40pm.** Selectman Jeannotte seconded the motion. Motion unanimously carried.

Respectfully submitted,

Patrice Garvin

approved as amended 4/22/08 Posted 4/25/08

TOWN OF CHELMSFORD
BOARD OF SELECTMEN MINUTES
Thursday, April 3, 2008
50 Billerica Road, Town Offices

Attending:

Philip M. Eliopoulos, Selectman Chairman
Clare L. Jeannotte, Selectman Vice Chairman
Patricia Wojtas, Selectman Clerk
William F. Dalton, Selectman
Eric R. Dahlberg, Selectman

Paul Cohen, Town Manager

7:13 pm
Vice Chairman Philip Eliopoulos called the meeting to order.

Vice Chairman Eliopoulos welcomed newly-elected Selectman Eric Dahlberg to the Board. He then explained that the purpose of the meeting was for the election of officers for the newly-constituted Board of Selectmen. Vice Chairman Eliopoulos opened the floor for nominations for the position of Chairman of the Board of Selectmen. Selectman Bill Dalton nominated Philip Eliopoulos for Chairman. Selectman Clare Jeannotte seconded the nomination. Selectman Dalton made a motion to close nominations for the Chairman position, seconded by Selectman Jeannotte. The Board unanimously voted to close nominations and then unanimously voted to elect Philip Eliopoulos as Chairman.

Chairman Eliopoulos opened nominations for the position of Vice Chairman. Selectman Pat Wojtas nominated Clare Jeannotte for Vice Chairman, seconded by Selectman Dalton. Selectman Wojtas made a motion to close nominations for the Vice Chairman position, seconded by Selectman Dalton. The Board voted unanimously to close nominations and then unanimously voted to elect Clare Jeannotte as Vice Chairman.

Chairman Eliopoulos opened nominations for the position of Clerk. Selectman Dalton nominated Pat Wojtas for Clerk, seconded by Selectman Jeannotte. Selectman Dalton made a motion to close nominations for the Clerk position, seconded by Selectman Jeannotte. The Board voted unanimously to close nominations and then unanimously voted to elect Pat Wojtas as Clerk.

There being no further business before the Board, Selectman Jeannotte motioned to adjourn, seconded by Selectman Wojtas. The meeting adjourned at 7:28 p.m.

Respectfully submitted,

Paul E. Cohen
Town Manager

Approved 5/19/08

TOWN OF CHELMSFORD
BOARD OF SELECTMEN MINUTES / Ambulance Meeting
Thursday, April 3, 2008
50 Billerica Rd, Chelmsford

Attending:
Clare Jeannotte, Selectman Clerk
Patricia Wojtas, Selectman
William F. Dalton, Selectman
Eric Dahlberg, Selectman
Paul Cohen, Town Manager

Ambulance Study Committee Members:
John Thibault, Chair
Daniel Burke

Trinity EMS:
John Chemaly
Gary Sepe
Staff

3:00 pm
Selectman Clerk Jeannotte called the meeting to order. She stated the purpose of the meeting was for Town Manager Cohen to obtain and review certain data that was provided by Trinity to the Ambulance Study Committee.

Data was provided by Mr. Thibault which summarized statistics. Mr. Chemaly stated that the reports provided to the Ambulance Study Committee were the same as those given to the Fire Chief and Town Manager monthly. Mr. Thibault stated the data was used to validate call volume and determine the number of multiple calls.

Discussion ensued regarding differences between the numbers used by the committee and those of the Fire Chief as it relates to nursing home calls which are not required to use 911. Discussion also addressed collection rates used, and the rates charged. It was noted that 62% of the payors are government and there is no rate difference for those between the town financial model and the committee financial model. Mr. Cohen commented on the impact of higher revenue rates on the collection rate.

Selectman Jeannotte inquired if there were any other items which were of question that required further discussion. There were none noted.

Motion: Selectman Wojtas made a motion to adjourn at **3:45 pm.** Selectman Dahlberg seconded the motion. Motion unanimously carried.

Respectfully submitted,

Clare Jeannotte

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA
April 7, 2008

Town Offices
50 Billerica Rd.

7:00 p.n Call to Order

Public Service Announcements

- **National Arbor Day**

Open Session

Scheduled Business

7:30 p.n Alteration of Premises – Fish Bones

7:40 p.n Alteration of Premises & Change of Director – The Big Kahuna

7:50 p.n Transfer of Gas Storage License from DTG to Rivard Family Trust

Town Manager Reports

BOS Meeting Minutes

BOS Executive Session Minutes January 7, 2008

Unscheduled Business

- Stipends for Elected Officials
- Discussion on Ambulance Study Committee Report
- S.A.F.E.R. Grant
- BOS Meeting Schedule through July
- GIC Formal Action with Notice
- Position on Town Meeting Warrant Articles
- Zoning Board of Appeals request for special counsel

Selectman Referrals
Press Questions
Next Regular Meeting: TBA

***** This meeting is televised. *****

approved 6/2/08

TOWN OF CHELMSFORD
BOARD OF SELECTMEN MINUTES
Monday, April 7, 2008
50 Billerica Rd, Chelmsford

Attending:
Philip M. Eliopoulos, Chair
Clare Jeannotte, Vice Chair
Patricia Wojtas, Selectman Clerk
Eric Dahlberg, Selectman
William F. Dalton, Selectman

Paul Cohen, Town Manager

7:00pm
Chairman Eliopoulos called the meeting to order.

Public Service Announcements:
Selectman Jeannotte read the proclamation for Arbor Day.

Open Session:
1. Joel Karp remarked on his Town Warrant Meeting Article. Mr. Cohen noted that he is waiting for feedback from Town Counsel.
2. Debra Dery, 19 Steadman Street, asked about the National Grid Surcharge and when it would be removed. Mr. Cohen stated that he was waiting to hear more about the issue.
3. Karen DeDonato thanked everyone for the support of the override. Ms. DeDonato requested that everyone work together to get more money into the community. Ms. DeDonato asked if Mr. Cohen felt the Ambulance proposal would be profitable for the Town. Mr. Cohen believed it would be beneficial to have a Town run ambulance. Ms. DeDonato asked that the Ambulance issue be brought to Town Meeting.
4. Peggy Dunn commented on the burying of the utilities.
5. Deirdre Connolly, member of the Ambulance Study Committee stated that she wrote the minority report. Ms. Connolly stated that the committee found no adverse impact of a Town run ambulance. Ms. Connolly asked that the article be brought to Town Meeting.
6. Glenn Thoren asked the Board to bring the Town run Ambulance warrant article to Town Meeting.

Fishbones Expansion:

Dennis McHugh, represented the owners of Fishbones at 34 Central Square. Chair Eliopoulos asked if there was anyone to speak for or against the proposed expansion. Mr. John Harrington, who is an abutter, spoke in favor.

Motion: Selectman Jeannotte made a motion to close the public hearing. Selectman Wojtas seconded the motion. Motion carried.

Motion: Selectman Jeannotte made a motion to approve the altering of the premises of Fishbones at 34 Central Square. Selectman Wojtas seconded the motion. Motion carried.

Big Kahuna:

Gary Lavelle, owner, requested that the Board approve activating the outside area. Chair Eliopoulos asked if there was anyone to speak for or against the proposal.

Motion: Selectman Jeannotte made a motion to close the public hearing. Selectman Wojtas seconded the motion. Motion carried.

Motion: Selectman Jeannotte made a motion to maintain the inside capacity of the Big Kahuna at 49, and to allow occupancy of up to 150 outside. Selectman Wojtas seconded the motion. Motion carried.

The Board would vote for the Change of Director at the next meeting.

Fuel Storage:

Ed Maloney requested a transfer for a fuel storage license.

Motion: Selectman Jeannotte made a motion to approve the transfer of the gas storage license from DTG to Rivard Family Trust with the following conditions: no filling on premises, 6,000 gallons limit and comply with fire department spillage protection requirements. Selectman Wojtas seconded the motion. Motion carried.

Town Manager Reports:

1. Mr. Cohen reported that there was a need to fill the alternate seat on the Planning Board.
2. Mr. Cohen reported that the Governor's office informed the Town that it would receive additional Chapter 90 money towards work on local roads.
3. Mr. Cohen reported that the state informed the Town of the new KENO to go program. Selectman Dalton was concerned that this could create a loophole for those in Town that want to acquire KENO. Selectman Dalton added that there should be no additional establishments having KENO.

Approval of Minutes:

Motion: Selectman Jeannotte made a motion to approve the January 7, 2008 Executive Session minutes, not to be released. Selectman Wojtas seconded the motion. Motion carried.

Stipends/Health Insurance:

Chair Eliopoulos invoked the Rule of Necessity for the entire Board.
Chair Eliopoulos gave a brief synopsis on the stipend issue for elected officials. Chair Eliopoulos noted the fiscal concerns for the Town if it continues to provide health insurance to elected officials. Chair Eliopoulos added that currently three elected officials are on the Town insurance, and that until their term ends they will be able to continue to receive it.

> **Motion:** Selectman Jeannotte made a motion to eliminate health insurance benefits for all paid part-time elected officials effective June 30, 2008, except that currently eligible officials will continue to be eligible to receive health insurance benefits until the conclusion of their current term. Selectman Wojtas seconded the motion. Motion carried.

The Board continued to discuss which elected Boards should receive a stipend. Selectman Jeannotte suggested following-up on the Stipend issue at the Board's next work session.

Town Run Ambulance:

Selectman Dalton stated that a Town run ambulance could make money for the Town and should be brought to Town Meeting. Selectman Wojtas did not see the benefit of the Ambulance article going to Town meeting. Selectman Jeannotte stated that she does not support the five-station hybrid model. Selectman Jeannotte was also concerned that no business plan was presented by the ambulance study committee and would like to see it go out to bid. Selectman Dahlberg did not support the hybrid model. Chair Eliopoulos did not support the model and wanted the ambulance contract to go out to bid. Selectman Dalton proposed a motion to bring the Ambulance Article (#12) to Town Meeting; there was no second on the motion. Discussion ensued regarding the validity of the numbers on both sides of the argument.

> **Motion:** Selectman Jeannotte made a motion that the Board accept and support the recommendation of the Chelmsford ambulance study committee, specifically that the town of Chelmsford not seek the implementation of a Chelmsford Fire Department based ambulance system and instead that the Board direct the Town Manager to seek bids from private contractors for the July 1, 2008 renewal. Selectman Wojtas seconded the motion. Motion carried (4-1), Selectman Dalton dissenting.

Safer Grant:

The Town Manager noted that since there were no means to fund the town's obligation for this grant, there was no need for further discussion.

GIC State Insurance Plan:

Mr. Cohen informed the Board that there needed to be 70% approval from the employees and unions in order to go to the State GIC insurance plan. Mr. Cohen stated that he was optimistic in the presentation of the plan to employees.

Motion: Selectman Jeannotte made a motion to approve the acceptance of Section 19 regarding the GIC state insurance plan. Selectman Wojtas seconded the motion. Motion carried.

ZBA Appointment to the Hillside Garden Case:

Motion: Selectman Jeannotte made a motion to approve the Board appointment of Jay Talerman from Blatman, Bobrzwskit and Mead, as special counsel to the ZBA for the Hillside Gardens hearing. Selectman Wojtas seconded the motion. Motion carried.

Town Meeting Warrant:

The Board read through the articles and approved the following:

Motion: Selectman Jeannotte made a motion to support Articles 2, 4, 5, 6, 7, 9, 10, 11, 12, 13, 17, 18, 19, 22 and 23. Selectman Wojtas seconded the motion. Motion carried.

Motion: Selectman Jeannotte made a motion to table Articles 3, 8, 14, 15, 16, 20, 21 and 24 for further discussion. Selectman Wojtas seconded the motion. Motion carried.

Selectman Referrals:

Selectman Dalton made the following referral(s):

None

Selectman Wojtas made the following referral(s):

1. Selectman Wojtas reported that at the latest LRTA meeting, it was reported that all LRTA drivers had received CPR training..

Selectman Jeannotte made the following referral(s):

1. Selectman Jeannotte asked if members form the water districts could come in and present.
2. Selectman Jeannotte recapped a recent meeting with representatives from the North Chelmsford Water District, the Department of Public Works, and the ad hoc committee which studied issues at the DPW yard.

Selectman Dahlberg made the following referral(s):

None

Chair Eliopoulos made the following referral(s):

1. Chair Eliopoulos commented on the liaison assignments and the need to discuss it at the next work session.
2. Chair Eliopoulos noted that there will be a meeting in Billerica on April 17, regarding the proposed power plant.

Press Questions:
Rita Savard of the Lowell Sun asked to clarify the health insurance vote.

Andy Metzger of the Chelmsford Independent asked about the stockpile at the DPW site and if it has been removed.

Adjournment:

Motion: Selectman Dalton made a motion to adjourn at **9:40pm.** Selectman Jeannotte seconded the motion. Motion unanimously carried.

Respectfully submitted,

Patrice Garvin

APPROVED 6/16/2008

TOWN OF CHELMSFORD
BOARD OF SELECTMEN MINUTES-WORK SESSION
Monday, April 14, 2008
50 Billerica Rd, Chelmsford

Attending:
Philip M. Eliopoulos, Chair
Clare Jeannotte, Vice Chair
Patricia Wojtas, Selectman Clerk
Eric Dahlberg, Selectman
William F. Dalton, Selectman
Paul Cohen, Town Manager

6:30pm
Chair Eliopoulos called the meeting to order.

Billboards:
Sal Lupoli addressed the Board to discuss possible new turf on the football field funded through leasing town property to install a billboard. Mr. Lupoli presented his idea to use revenue from the billboard to finance new state of the art turf. Mr. Cohen stated that concerns have been identified as to zoning by-laws. Mr. Lupoli stated that the location identified for the billboard would be in an industrial area of Town off of Katrina Road. Mr. Belansky, Community Development Director, stated that there would be zoning issues that needed to be addressed by the Planning Board. The by-law change would then have to pass Town Meeting by a 2/3 vote. Selectman Wojtas asked how much the current field costs to maintain. Mr. Lupoli stated that it currently costs $10,000 per year to maintain the current field. Mr. Lupoli added that possible cell towers could be placed on the billboard generating even more revenue for the Town. Mr. Cohen requested that Mr. Belansky and the Planning Board give Mr. Lupoli and the Board feedback on the proposal.

Stipend Committee Recommendations:
The Board discussed the list of which Boards/Committees currently receive stipends and if this list should be edited. Selectman Jeannotte suggested putting all Board/Committees on the list and to have Town Meeting Members decide who receives stipends.

> **Motion:** Selectman Jeannotte made a motion to have the Town Manager prepare a motion for Town Meeting that indicated stipend levels for Boards/Committees who currently receive stipends and including the School Committee for $1,000 and $1,200 for the School Committee Chair. Selectman Wojtas seconded the motion. Motion carried (4-1, Selectman Dahlberg dissenting).

Liaison Assignments:
The Board discussed the need for liaisons for certain committees and the need for those members to understand the role of the selectmen as their liaison. A collection of minutes should be gathered and reports given by committees on a semi-regular basis. The Board went through the list of committees and decided which committees needed a liaison.

What's Next?

The Board discussed what issues would be coming up for the Town: Recycling Committee recommendations; bus fees; cost savings and revenue subcommittees revisited; perceptions of relationship between school committee and Board; public input sessions to learn why the override failed.

New Business:

Mr. Cohen reported that there would be a need to discuss the sewer rates to complete the sewer project in Town. Mr. Cohen stated that a special Town Meeting might need to be called to vote on the adding to the sewer surcharge.

Mr. Cohen reported that the RFP for the Ambulance is being created. The RFP will ask for a three-year contract that includes money for a dispatch fee for anyone that would get the contract.

Motion: Selectman Dalton made a motion to adjourn at **9:52pm.** Selectman Jeannotte seconded the motion. Motion unanimously carried.

Respectfully submitted,

Patrice Garvin

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA
April 22, 2008

Town Offices
50 Billerica Rd.

7:00 p.m. Call to Order

Public Service Announcements

- **Alumni Association Awards Night**
- **LWV Essay Contest**

Open Session

Town Manager Bid Awards

- Windows, Town Offices

Town Manager Reports

-

BOS Meeting Minutes

- BOS Regular Meeting Minutes February 25,2008
- BOS Reorganization Minutes April 3, 2008

Unscheduled Business

- Position on balance of Town Meeting Warrant Articles
- BOS Liaison Assignments
- Jefferson Place – Westford 40 B
- BOS Policy Subcommittee Update

Selectman Referrals

Press Questions

Next Regular Meeting: May 5, 2008

***** This meeting is televised. *****

TOWN OF CHELMSFORD
BOARD OF SELECTMEN MINUTES
Tuesday, April 22, 2008
50 Billerica Rd, Chelmsford

Attending:
Philip M. Eliopoulos, Selectman Chair
Clare Jeannotte, Selectman Vice Chair
Patricia Wojtas, Selectman Clerk
William F. Dalton, Selectman
Eric R. Dahlberg, Selectman

Paul Cohen, Town Manager

7:05pm
Chair Eliopoulos called the meeting to order.

Public Service Announcements:

Alex and Zack, local winners of the Destination Imagination contest, spoke about their upcoming trip to Tennessee to participate in the Global Destination Imagination competition.

George Simonian announced the Annual Alumni Association Awards night, which will be held on May 12 at 7:00pm in the Performing Arts Center at the High School.

A Certificate of Achievement was awarded to Maximilian Maybury, who received honorable mention at the League of Women Voters essay contest, for his essay entitled 'Media Matters for Democracy'. Max also informed the public of the upcoming High School Musical "The Scarlett Pimpernel"on May 1st to 3rd.

Open Session:

1. Joel Karp, 8 Derringer Rd, voiced his support for the trash bylaw change, which will be considered during the upcoming Annual Town Meeting. He also suggested considering an override to alleviate the need for a school bus fee.

Town Manager Bid Award:

Mr. Cohen noted that there were six responses to a request for bids for window replacement at the Town Offices. He recommended awarding the contract to the lowest bidder, G.V.W. of East Boston.

> **Motion:** Selectman Jeannotte made a motion to approve the Town Manager's recommendation to award the contract for window replacement to G.V.W. of East Boston, in the amount of $78,958 for the Base Bid, and $14,948 for the Add Alternate. Selectman Wojtas seconded the motion. Motion carried.

Town Manager Reports:

1. Mr. Cohen stated that the Sewer Commission has requested that the three sewer-related articles on the upcoming Annual Town Meeting warrant be withdrawn, and be included in the warrant for an expected Special Town Meeting to be held in late May or early June.
2. Mr. Cohen updated the Board on a ruling relative to whether a revolving fund will be required for school bus fees. Based on information provided, it appears that the funds can be maintained with a school activity fund, and as an alternative to the usual revolving fund used.
3. Mr. Cohen reported that he has received notification that the Inspector General will be conducting an audit of operations at the Chelmsford Country Club.
4. Mr. Cohen reported that National Grid has informed the town of an increase in their taxable liability, as a result of the combination of Keyspan and National Grid, which has increased their taxes paid to the town by $79,715.
5. Mr. Cohen reported that a request was received from the Merrimack Valley Regional Housing Consortium for a contribution for funds to cover operational expenses. Selectman Wojtas noted that the Executive Director of the Chelmsford Housing Authority has offered to make a contribution on behalf of the Town.
6. Mr. Cohen reported that Daigle Engineers conducted a review of the staging in the basement of the Center Fire Station for the purpose of verifying that the existing structural conditions remain acceptable for continued use of the apparatus floor. They noted that no significant changes have occurred since the last evaluation, that the current conditions are acceptable for continued, short term use, but recommend annual reviews and suggested that plans for a new facility be advanced expeditiously.
7. Mr. Cohen reported that the Parade Committee has requested confirmation that the Board will march in the July 4th Parade.

Approval of Minutes:

Motion: Selectman Jeannotte made a motion to approve the regular meeting minutes of February 25, 2008. Selectman Wojtas seconded the motion. Motion carried, 4-1, with Selectman Dahlberg abstaining.

Motion: Selectman Jeannotte made a motion to approve minutes of the meeting of April 3, 2008, during which the Board conducted its annual reorganization. Selectman Wojtas seconded the motion. Selectman Dahlberg noted that it was Selectman Dalton, not himself, who seconded one of the motions that day. Motion to accept as amended carried.

Warrant Article recommendations:

There were several questions regarding capital items that are not being funded during the 2009 fiscal year. Mr. Cohen noted that several items will be funded by Chapter 90 funds, which are used for road and sidewalk improvements. Selectman Jeannotte asked about a five-year plan for capital projects. Mr. Cohen stated that the Capital Planning Committee maintains a plan for future years, based on input from town departments, but noted that the school department has not provided input for future years other than the items included with those put forth in the combined maintenance planning for schools and town facilities by Mr. Persichetti.

> **Motion:** Selectman Jeannotte made a motion to direct the Town Manager to ask the school department to provide a five year capital plan, to be submitted by a date determined by the Town Manager. Selectman Wojtas seconded the motion. Motion carried.

Selectman Dahlberg asked about the need for tile replacement at the Westlands School, since it will be closed at the end of this school year. Mr. Cohen replied that the facility will still be used, although not for classrooms, and this is replacement of aged asbestos floor tile.

Selectman Wojtas asked about the need to acquire a new Fire Engine, since the South Fire Station will be closed on July 1. Mr. Cohen replied that the engines currently in service no longer meet Fire Safety requirements, as several of them are close to twenty years old. He also noted that the timeframe from ordering to receiving a fire engine can be 18-24 months, and that there is a possibility that all fire stations will be able to be opened at some future date.

Selectman Jeannotte asked if there were any unspent capital appropriations from prior years. Mr. Cohen noted that there is approximately $60,000 that has been freed up from prior years, and is included in this year's capital request.

> **Motion:** Selectman Jeannotte made a motion to recommend approval of Article 8 of the Town Meeting warrant. Selectman Wojtas seconded the motion. Motion carried.

> **Motion:** Selectman Jeannotte made a motion to recommend approval of Article 14 of the Town Meeting warrant. Selectman Wojtas seconded the motion. Motion carried.

> **Motion:** Selectman Jeannotte made a motion to recommend approval of Article 15 of the Town Meeting warrant. Selectman Wojtas seconded the motion. Motion carried.

> **Motion:** Selectman Jeannotte made a motion to recommend approval of Article 16 of the Town Meeting warrant. Selectman Wojtas seconded the motion. Motion carried.

Mr. Cohen noted that Article 24, related to the trash bylaw, has been approved by Town Counsel. Selectman Jeannotte asked about the impact on the budget if this article were to pass. Mr. Cohen state that it would cause the current budget to be in a deficit by approximately $115,000. No vote was taken on this article at this time.

Evan Belansky updated the Board on Articles 20 and 21, which have been proposed by the Planning Board. No vote was taken at this time.

Jefferson Place, Westford:

Evan Belansky updated the Board regarding this project, which is situated near the Chelmsford town line. He noted there are issues sensitive to abutters, particularly related to the location of a garage and a retention pond. He is also concerned about increased traffic volume in the area. The developer has agreed to expand the inclusive area for traffic studies, and possible mitigation. The developer has also agreed to preserve the tree lines to shield abutters.

Chair Eliopoulos asked Mr. Belansky to consolidate comments regarding this project, so that the Board can take action before the MEPA deadline for comments.

Aggregate Industries:

Mr. Belansky updated the Board regarding the request by Aggregate Industries to expand capacity at their Littleton Road location. The plan is currently being reviewed by the Planning Board. Selectman Dalton noted the deplorable physical conditions at the location.

Selectman Referrals:

Selectman Dahlberg made the following referral(s):

1. Selectman Dahlberg had attended a public meeting regarding the Billerica Power Plant. He noted that no concerns appeared to have been allayed by the proponents.
2. Selectman Dahlberg noted that he received a welcome packet from MMA.

Selectman Jeannotte made the following referral(s):

1. Selectman Jeannotte noted that the Parade Committee has booked additional bands for the July 4th parade, and is continuing advertising efforts.
2. Selectman Jeannotte suggested the need for long range planning by the Board and Town Manager.
3. Selectman Jeannotte asked Mr. Cohen to report to the Board on a recent Legislative Breakfast that she and Selectman Wojtas had also attended.

Selectman Wojtas made the following referral(s):

1. Selectman Wojtas reported that there was a discussion of the proposed expansion of the commuter rail to New Hampshire at a recent NMCOG meeting.

2. Selectman Wojtas noted that the library is having its annual Poetry Slam on Friday, April 25.
3. Selectman Wojtas noted that there will be a walking tour at the Forefathers Cemetery on Sunday, April 27.

Selectman Dalton made the following referral(s):

1. Selectman Dalton noted that he had attended the recent Blue Mass for public safety personnel at St. Mary's Church.
2. Selectman Dalton stated that the DPW/Fire Dept. Facility committee would be meeting with Mr. Cohen to determine their next steps.
3. Selectman Dalton noted that he attended a recent Eagle Scout ceremony.

Chair Eliopoulos made the following referral(s):
None

Press Questions:

Rita Savard of the Sun asked the following questions:

1. Asked how the bus fees can be lumped with activity fees. Mr. Cohen responded that the town is awaiting a formal answer from DOR .

Adjournment:

Motion: Selectman Jeannotte made a motion to adjourn at 9:00pm. Selectman Wojtas seconded the motion. Motion carried.

Respectfully submitted,

Pat Wojtas, Selectman Clerk

✓ approved 5/19/08

TOWN OF CHELMSFORD
BOARD OF SELECTMEN MINUTES - WORK SESSION
Monday, April 28, 2008
Senior Center
75 North Rd, Chelmsford

Attending:

Philip M. Eliopoulos, Selectman Chair
Clare Jeannotte, Selectman Vice Chair
Patricia Wojtas, Selectman Clerk
William F. Dalton, Selectman
Eric R. Dahlberg, Selectman
Paul Cohen, Town Manager
John Giorgio, Town Counsel

6:35pm
Chairman Eliopoulos called the meeting to order.

Mass. Coalition for Affordable Housing:
The Board reviewed the items listed on the MCAH ballot. Chelmsford is entitled to one vote, as a member community. Selectman Jeannotte will attend the meeting on Friday, May 2, during which voting will take place.

> **Motion:** Selectman Jeannotte made a motion to vote in favor of all items listed on the MCAH ballot. Selectman Wojtas seconded the motion. Motion carried.

Board Liaisons:
Selectman Jeannotte suggested adding liaisons for the Capital Planning Committee and the Insurance Advisory Committee. Chair Eliopoulos stated that he would distribute the liaison assignments on Thursday. He will forward the draft policy for liaisons to all Board members, for discussion at Thursday's meeting.

Ambulance RFP:
Mr. Cohen noted the main points of the RFP:

- Require the vendor to subsidize a portion of the town's dispatch expenses
- Define who is responsible at the scene of each incident where an ambulance may respond
- Require complete list of billing rates that will be in effect
- Report amount billed and received, as well as the payer mix, on a regular basis

Selectman Jeannotte questioned the inclusion of wording that suggests medical policy may be determined by the Town. It was decided to remove the ambiguous wording. Chair Eliopoulos questioned the Mutual Aid requirements, which may impact local services. Mr. Cohen noted that the town is required to maintain a plan for regional emergency response as needed.

The timing for awarding of the contract was discussed. Mr. Cohen noted that responses to the RFP will be required by May 13. They will be reviewed by a team consisting of himself, Fire Chief Jack Parow, and Police Chief Jim Murphy. Mr. Cohen expects that he should be ready with a recommendation to the Board by the May 19 meeting.

Mobile Home Park taxation:

Mr. Giorgio noted that the Town cannot collect both real estate tax, and a license fee for the property in question. Mr. Cohen stated that the license fees will not be refunded until the application for abatement is finalized and the outcome is determined.

Town Meeting Article 24:

Motion: Selectman Jeannotte made a motion not to recommend approval of Article 24 of the Town Meeting warrant. Selectman Wojtas seconded the motion. Motion carried.

Adjournment:

Motion: Selectman Jeannotte made a motion to adjourn at 7:22pm. Selectman Wojtas seconded the motion. Motion carried.

Respectfully submitted,

Pat Wojtas, Selectman Clerk

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA
May 1, 2008

Chelmsford Senior Center
75 Groton Road
North Chelmsford, MA

6:30 p.m. Call to Order

Scheduled Business

6:30 p.m. Big Kahuna – One Day All Alcohol License, June 7, 2008

6:35 p.m. Saint John the Evangelist – One Day All Alcohol License, May 9, 2008

6:35 p.m. Appointment of Inspector of Animals

6:36 p.m. Executive Session – Legal Update

Next Regular Meeting: May 19, 2008

APPROVED 8/25/08

TOWN OF CHELMSFORD
BOARD OF SELECTMEN MINUTES
Thursday, May 1, 2008
Senior Center
75 North Rd, Chelmsford

Attending:

Philip M. Eliopoulos, Selectman Chair
Clare Jeannotte, Selectman Vice Chair
Patricia Wojtas, Selectman Clerk
William F. Dalton, Selectman
Eric R. Dahlberg, Selectman

Paul Cohen, Town Manager
John Giorgio, Town Counsel

6:35pm
Chairman Eliopoulos called the meeting to order.

The Big Kahuna:
Gary Lavalle, representing the Big Kahuna, requested that he be granted a one-day waiver on his maximum occupancy of 199 persons (150 outdoors, 49 indoors). He is sponsoring a Motorcycle Ride to raise money for the Police Athletic League and Team Mickey. Concerns were raised about the number of participants, parking capacity, noise levels, event hours, and alcoholic beverage and crowd control. Mr. Lavalle noted that there will be a minimum of two police officers on detail at all times.

Motion: Selectman Jeannotte made a motion to allow the Big Kahuna an increase in occupancy to 500 persons for one day (June 7, 2008), until 9:00pm. Detail officers have the discretion to further limit capacity as conditions warrant. Selectman Wojtas seconded the motion. Motion carried.

St. John's Church:

Motion: Selectman Jeannotte made a motion to approve a one day beer and wine license to St. John's Church for May 9, 2008, from 5:00pm to 11:00pm. Selectman Wojtas seconded the motion. Motion carried.

Inspector of Animals:

Motion: Selectman Jeannotte made a motion to approve the Town Manager's appointment of Erik Merrill as Inspector of Animals. Selectman Wojtas seconded the motion. Motion carried.

Adjournment:

Motion: Selectman Jeannotte made a motion to adjourn at 6:55pm into Executive session for the purpose of discussing litigation. Selectman Wojtas seconded the motion. Motion unanimously carried.

Selectman Wojtas	Aye
Selectman Jeannotte	Aye
Selectman Dahlberg	Aye
Selectman Dalton	Aye
Chair Eliopoulos	Aye

Respectfully submitted,

Pat Wojtas, Selectman Clerk

Approved and released 5/19/2008

TOWN OF CHELMSFORD
BOARD OF SELECTMEN MINUTES – Executive Session
Thursday, May 1, 2008
Senior Center
75 North Rd, Chelmsford

Attending:
Philip M. Eliopoulos, Selectman Chair
Clare Jeannotte, Selectman Vice Chair
Patricia Wojtas, Selectman Clerk
William F. Dalton, Selectman
Eric R. Dahlberg, Selectman
Paul Cohen, Town Manager
John Giorgio, Town Counsel

6:55pm
Chairman Eliopoulos called the meeting to order.

Litigation:
Mr. Giorgio reviewed the list of pending cases in which the Town is involved.

Adjournment:

Motion: Selectman Jeannotte made a motion to adjourn Executive Session at 7:25pm. Selectman Wojtas seconded the motion. Motion unanimously carried.

Selectman Wojtas	Aye
Selectman Jeannotte	Aye
Selectman Dahlberg	Aye
Selectman Dalton	Aye
Chair Eliopoulos	Aye

Respectfully submitted,

Pat Wojtas, Selectman Clerk

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA
May 5, 2008

Town Offices
50 Billerica Rd.

7:00 p.m. Call to Order

Public Service Announcements

Open Session

Scheduled Business

7:30 p.m. Center Water District - Annual Update

8:00 p.m. Jim Pearson – Traffic Safety Projects

Town Manager Reports

- Update on Fire/DPW Study Committee
- Extension of Premises Guidelines
- National Grid notification
- Jefferson at Westford

BOS Meeting Minutes

Unscheduled Business

- Warrant for Special Town Meeting
- Review of Liaison Policy
- Liaison Assignments
- Update from Policy Review Subcommittee

Selectman Referrals

Press Questions

Executive Session

Next Regular Meeting: May 19, 2008

***** This meeting is televised. *****

TOWN OF CHELMSFORD
BOARD OF SELECTMEN MINUTES
Monday, May 5, 2008
50 Billerica Rd, Chelmsford

Attending:
Philip M. Eliopoulos, Chair
Clare Jeannotte, Vice Chair
Patricia Wojtas, Selectman Clerk
Eric Dahlberg, Selectman
William F. Dalton, Selectman

Paul Cohen, Town Manager

7:00pm
Chair Eliopoulos called the meeting to order.

Public Service Announcements/Open Session:
None

Town Manager Reports:

1. Mr. Cohen reported a service interruption for National Grid scheduled for May 7th for a routine maintenance.
2. Mr. Cohen updated the Board on new ABCC regulations regarding licensed establishments serving alcohol outdoors (porches, decks, etc.).
3. Mr. Cohen reported action being needed to send a letter concerning Jefferson at Westford 40B development. The Board asked that the letter be copied to NMCOG.
   Motion: Selectman Jeannotte made a motion to approve sending a response letter to the Department of Environmental Affairs, as drafted. Selectman Wojtas seconded the motion. Motion carried.
4. Mr. Cohen reported the need for action from the Board to send a letter regarding development of additional senior housing by the Chelmsford Housing Authority on Sheila Ave.
   Motion: Selectman Jeannotte made a motion to approve the proposed Home Rule Petition to facilitate the continuation of the senior housing project on Sheila Ave as authorized at Town Meeting. Selectman Wojtas seconded the motion. Motion carried.
5. Mr. Cohen reported on the status of the golf course.
6. Mr. Cohen reported that the Finance Director recently completed a course related to his job duties.
7. Mr. Cohen reported that the Board of Appeals denied the tax abatement for the mobile home park. Mr. Cohen added that more discussion was needed and he would report to the Board as more information comes into the office.

Warrant for Special Town Meeting:

Mr. Cohen explained the reason for the Special Town Meeting and that the Sewer Commission would be in to present to the Board next week.

Motion: Selectman Jeannotte made a motion to approve the posting of the Special Town Meeting Warrant for June 4th at the Senior Center at 7:30p.m. and to adjourn on June 5th. Selectman Wojtas seconded the motion. Motion carried.

Review of Liaison Policy:

The Board reviewed the liaison policies and the wording.

Motion: Selectman Jeannotte made a motion to approve the changed wording of the liaison policy. Selectman Wojtas seconded the motion. Motion carried.

Center Water District-Annual Update:

George Allen introduced the water commissioners present in the audience. Mr. Allen updated the Board on recent Water District activities. Mr. Allen explained the water conservation program for the summer months. Mr. Allen gave historical data on water usage in Town. John Harrington, Center Water Commissioner, commented on the recent discussion that certain water was dirty and assured the Board that was not the case. Mr. Allen discussed upcoming projects for the district including an updated water tank.

Jim Pearson-Traffic Safety Projects:

Mr. Pearson discussed the project in front of the library. The project would improve the safety for pedestrians crossing the street. Through curbing and new signage Mr. Pearson hoped to improve the area.

Selectman Eliopoulos asked about 'No Parking' signs on Concord Road and noted that the Board at a prior meeting voted to have these signs erected. Chairman Eliopoulos noted that the signs were not up yet. Mr. Pearson stated that he did not see a need for 'No Parking' signs and that there was no safety issue. Mr. Pearson stated that he would follow-up with the Board.

Update on Fire/DPW Study Committee:

Pat Maloney, chair of the committee, updated the Board. Mr. Maloney stated that he recognized the financial constraints of the Town and suggested doing the project in phases. Mr. Maloney stated that the Center Station should remain as a station because of its location. Chair Eliopoulos asked why the center station should remain. Mr. Maloney explained that getting to the outlying areas is best from the center location. Discussion ensued as to the needs of the community.

Update from policy review subcommittee:

Selectman Jeannotte noted that she and Selectman Wojtas are going through the Board policies and have documented suggested changes. Selectman Jeannotte suggested getting input from the Board as the subcommittee moves forward.

Selectman Referrals:

Selectman Dalton made the following referral(s):

None

Selectman Wojtas made the following referral(s):

1. Selectman Wojtas reported that a 40B forum was being held
2. Selectman Wojtas reported about a Bio-Ready conference that she had attended the previous week.

Selectman Jeannotte made the following referral(s):

1. Selectman Jeannotte reported on the Historical Society events.
2. Selectman Jeannotte asked about the Federal Medicaid reimbursement program and its impact on the Town. Mr. Cohen stated that nothing was finalized.

Selectman Dahlberg made the following referral(s):

1. Selectman Dahlberg mentioned the efforts by residents opposing the proposed Billerica Power Plant.

Chairman Eliopoulos made the following referral(s):

1. Chairman Eliopoulos reported on the date of the Economic Summit.

Press Questions:

None

Motion: Selectman Jeannotte made a motion to adjourn at **9:29pm.** Selectman Wojtas seconded the motion. Motion unanimously carried.

Respectfully submitted,

Patrice Garvin

CHELMSFORD BOARD OF SELECTMEN
WORK SESSION AGENDA
May 14, 2008

Town Offices
50 Billerica Rd.

5:30 p.m. Call to Order

- **Discussion regarding proposed billboard**
- **Discussion on Trash Committee recommendations**
- **Discussion on recognition of Committee Members**
- **Chief Murphy's proposed Policies and Procedures**
- **Town Manager / Town Accountant performance appraisal**

Town Manager Reports

-

Unscheduled Business

- Warrant for Special Town Meeting

Next Regular Meeting: June 2, 2008

APPROVED 6/16/08

TOWN OF CHELMSFORD
BOARD OF SELECTMEN MINUTES
Wednesday, May 14, 2008
Town Offices
50 Billerica Rd, Chelmsford

Attending:
Philip M. Eliopoulos, Selectman Chairman
Clare Jeannotte, Selectman Vice Chairman
Patricia Wojtas, Selectman Clerk
Eric R. Dahlberg, Selectman
Paul Cohen, Town Manager

5:35pm
Chairman Eliopoulos called the meeting to order.

Trash Committee Recommendations:
Chairman Eliopoulos recapped the current trash regulations and schedules, which limit residents to four barrels of trash per week, and unlimited recycling, which is picked up every two weeks. A proposal to change recycling pickup to weekly was discussed. Mr. Cohen noted that such a change would probably require additional funds from the town to the trash contractor, due to increased resource requirements. Selectman Jeannotte asked about the possibility of renegotiating the current trash contract before its expiration in 2010. It was requested that Mr. Cohen investigate the cost of changing recycling to weekly pickup, to determine if the anticipated reduction in solid waste might offset increased costs.

Billboards:
Chairman Eliopoulos noted that the Chairman of the Planning Board has asked for guidance from the Board of Selectmen regarding possible zoning changes to permit billboards in the town. He spoke about a current proposal which would earmark revenues from a billboard on town-owned land. Selectman Jeannotte questioned the earmark of all revenues for a specific purpose and noted the lack of specific financial information for the current proposal. Selectman Dahlberg asked if the town would be able to control the content of the billboards.

It was decided that the Planning Board should investigate how other communities deal with billboard requests before undertaking further action to implement required zoning changes.

Committee Recognition:
Selectman Wojtas spoke about suggestions she has received recently regarding some type of recognition for residents who serve as volunteers on town committees. Discussions continued as to the parameters for qualifying residents for recognition, type of recognition, etc.

It was decided to allow the Policy Sub-committee to present guidelines for recognition, followed by further consideration of the full Board. Mr. Cohen will investigate the availability of historic data on years of service by appointed and elected volunteer boards and committees.

Police Policies and Procedures:

Mr. Cohen recapped the Rules and Regulations manual that had been submitted by Chief Murphy for Board consideration. Board approval of the document will permit the Police Department to seek certification. . Mr. Cohen noted that the Police unions have approved the acceptance of the rules and regulations.

It was requested that Chief Murphy attend an upcoming meeting to review the document in more detail with the Board.

Town Manager/Town Accountant Performance Reviews:

Chairman Eliopoulos stated that we would only be discussing the timing and format of the reviews at this meeting, not conducting the actual reviews.

It was decided to use the same format as last year for the Town Accountant's review. Chairman Eliopoulos recommended that a small group work on preparing and presenting that review. Mr. Cohen suggested one or two members of the Board, in addition to himself and John Sousa, as part of that group. Selectman Jeannotte noted that each Board member should provide input on the Town Accountant's performance. Selectman Jeannotte volunteered to be a participant in the group that will conduct the formal review. All input from Board members should be submitted by June 2, so that the review can be completed for the Board's June 16 meeting.

The review for the Town Manager was then discussed. Selectman Wojtas noted that the form used last year did not provide much opportunity for narrative feedback. Chairman Eliopoulos suggested using the form from last year as a basis, with some expansion to allow for additional comments and clarification of goals and objectives. Chairman Eliopoulos asked that ideas for the format be submitted by June 2, so that Mr. Cohen's formal review can be completed during the Board's June 16 meeting.

Special Town Meeting Warrant:

> **Motion:** Selectman Jeannotte made a motion to sign the warrant for Special Town Meeting to be held on June 12 at 7:30PM. Selectman Wojtas seconded the motion. Motion carried.

Town Manager Reports:
Mr. Cohen informed the Board of initial discussions with Arbor Networks, which is considering relocating their facilities to Chelmsford. They currently have offices in Lexington, MA and Merrimack, NH. A decision should be announced by the end of May.

Mr. Cohen noted that the town will be participating in a bond sale on June 4. The Board will need to vote whether to accept the bond sales around June 9.

Mr. Cohen reminded the Board of several upcoming meetings: the Economic Development forum on June17; a joint meeting with the DPW/Fire Dept. Facilities committee, Capital Planning Committee, and Finance Committee on June 4; followed by a DPW/FD Facilities public input meeting on June19.

Mr. Cohen reported on a potential 40B development on Rangeway Road in Billerica, which will abut Chelmsford properties.

Mr. Cohen reported two upcoming retirements: Carol Lambert from the Treasurer's office, and Tony Zagzoug as Building Commissioner.

Other Business:
Selectman Dalhberg asked that a Certificate of Achievement be awarded to Laurie Myers, who was recently selected as an 'Unsung Hero' in Massachusetts.

Selectman Jeannotte asked Mr. Cohen to provide a list of town-owned vehicles, including who they are assigned to, their job function, and whether the vehicle can be taken home by the assigned user.

Adjournment:

Motion: Selectman Jeannotte made a motion to adjourn at 8:45pm into Executive session for the purpose of discussing litigation. Selectman Wojtas seconded the motion. Motion unanimously carried.

Selectman Wojtas	Aye
Selectman Jeannotte	Aye
Selectman Dahlberg	Aye
Chairman Eliopoulos	Aye

Respectfully submitted,

Pat Wojtas, Selectman Clerk

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA
May 19, 2008

Town Offices
50 Billerica Rd.

7:00 p.m. Call to Order

Public Service Announcements

- **Memorial Day Proclamation**
- **Kinney Brothers Proclamation**

Open Session

-

Scheduled Business

7:30 p.m. Planning Board Alternate Appointment, unexpired one year term

7:35 p.m. Bertucci's - Change of Manager

7:40 p.m. Thai Jasmine – Public Hearing Transfer of License

7:45 p.m Café Madrid – Outdoor / Additional Seating

7:50 p.m. Barry Balan – Update on Sewer Project

8:20 p.m. John Sousa & Darlene Lussier – FY 2008 Budget Update

8:30 p.m. John Sousa – Borrowing for Capital Purchases

Town Manager Bid Awards

- Ambulance Contract

Town Manager Reports

-

BOS Meeting Minutes

- BOS Regular Meeting Minutes March 10, 2008
- BOS Regular Meeting Minutes March 24, 2008
- BOS Regular Meeting Minutes April 3, 2008

*** **This meeting is televised.** ***

- BOS Regular Meeting Minutes April 22, 2008
- BOS Regular Meeting Minutes April 28, 2008
- BOS Regular Meeting Minutes May 1, 2008
- BOS Executive Session Minutes May 1, 2008

Unscheduled Business

-

Selectman Referrals

Press Questions

Executive Session

Next Regular Meeting: June 2, 2008

APPROVED 8/25/2008

TOWN OF CHELMSFORD
BOARD OF SELECTMEN MINUTES
Monday, May 19, 2008
50 Billerica Rd, Chelmsford

Attending:
Philip M. Eliopoulos, Chairman
Clare Jeannotte, Vice Chairman
Patricia Wojtas, Selectman Clerk
Eric Dahlberg, Selectman

Paul Cohen, Town Manager

William F. Dalton, Selectman- absent

7:00pm
Chairman Eliopoulos called the meeting to order.

Public Service Announcements/Open Session:

1. Regina Jackson, Veterans Service Agent gave the Board details on Memorial Day activities.
2. The Board read into record the Kinney Brothers' Proclamation.
3. Rick Mahoney, Prescott Drive asked about Verizon Fios and if the Town has been approached. Mr. Cohen stated that there might be something available in the fall.

Town Manager Bid Awards:

1. Ambulance Contract- Mr. Cohen discussed the bid process and that the Town was left with two applicants that met the RFP requirements, Trinity and Patriot. Mr. Cohen stated that Trinity was chosen because it met with the secondary response needs for the Town. Mr. Cohen stated that it would be a three-year contract at a fixed amount.
   Motion: Selectman Jeannotte made a motion to approve the Ambulance contract to Trinity EMS; for a term of 7-1-08 thru 6-30-11. Selectman Wojtas seconded the motion. Motion carried.

Town Manager Reports:

1. Mr. Cohen updated the Board on the 4th of July parade.
2. Mr. Cohen reported the progress of getting the by-law changes approved at Town meeting through the state approvals.
3. Mr. Cohen reported that there would be a Special Town Meeting on June 12th.
4. Mr. Cohen reported that the school building project would be audited but there is no exact date.
5. Mr. Cohen reported that Carol Lambert, Assistant Town Treasurer, will be retiring effective July 11, so there is an opening in the Tax Collectors Office.

Joint Meeting with Planning Board 7:30pm:

Chairman Eliopoulos called the joint meeting between the Planning Board and the Board of Selectmen in order to vote for an applicant to fill the Alternate seat on the Planning Board. Members of the Planning Board who were present were: Pamela Armstrong, Chairman, Richard Johnson, George Zaharoolis, Ann McGuigan, James Lane, Robert Joyce, and Susan Carter Sullivan. The applicants were as follows: George Burham, Joseph Green, Russell MacLeod, Leo Manning, John McCormack, Karthik Nartaragan, Sean Scanlon and Colleen Stansfield. Each applicant present was given the chance to speak.

Mr. Johnson nominated Colleen Stansfield, seconded by Mr. Zaharoolis.
Ms Armstrong nominated George Burnham, seconded by Ms Carter Sullivan
Selectman Jeannotte moved to close the nominations. Seconded by Mr. Zaharoolis.
Roll Call Vote-
Mr. Zaharoolis- Colleen Stansfield
Mr. Lane - Colleen Stansfield
Mr. Johnson - Colleen Stansfield
Mr. Joyce- Colleen Stansfield
Ms Armstrong- George Burnham
Ms Carter Sullivan- George Burnham
Ms McGuigan- Colleen Stansfield
Selectman Dahlberg - George Burnham
Selectman Jeannotte - Colleen Stansfield
Selectman Wojtas - Colleen Stansfield
Chairman Eliopoulos - Colleen Stansfield

Selectman Jeannotte made a motion to adjourn the joint meeting. Mr. Johnson seconded the motion. Motion carried.

Bertucci's-Change of Manager:

Motion: Selectman Jeannotte made a motion to waive the two-week liquor policy and approve the change of Manger for Bertuccis Restaurant to Michael Slayback. Selectman Wojtas seconded the motion. Motion carried.

Thai Jasmine-Public Hearing Transfer of License:

Motion: Selectman Jeannotte made a motion to approve the liquor license transfer to Nick Kanti for the Thai Jasmine. Selectman Wojtas seconded the motion. Motion carried.

Café Madrid-Outdoor/Additional Seating:

Larry Fadjo requested additional seating and explained that there would be a restrictive barrier to make it safer for patrons.

Motion: Selectman Jeannotte made a motion to approve the request from Café Madrid to allow for 8 seats outside. Total seating capacity would not change.

Selectman Wojtas seconded the motion. Motion carried (Chairman Eliopoulos abstained).

Barry Balan-Update on Sewer Project:

Barry Balan introduced Steve Pederson of Weston & Sampson to give the presentation. Mr. Pederson gave the progress of the sewer project in Town along with previous projections. Mr. Pederson stated that to finish the project another $16 million was needed. The sewer fee will increase by $.55 per thousand gallons used. Chairman Eliopoulos noted that the upcoming Special Town Meeting addresses the requirements to complete the sewer project, and summarized the three articles that would be presented at Town Meeting.

2007 Budget Update:

Ms. Lussier, Town Accountant, gave a report on current revenue for the town and reported that revenue was running close to previous estimates. Mr. Cohen explained the state budget process and how the cherry sheets were used with the current numbers presented to the Board. Selectman Jeannotte requested that the numbers be presented to the Board in a clearer way.

Mr. Sousa presented the expense side of the budget and stated that he did not see any cause for concerns. Chairman Eliopoulos asked about the effect of employee benefits on the budget expenses. Mr. Sousa projected that it looked satisfactory. Mr. Sousa stated that he would have more for the Board at a later meeting.

Capital Purchases:

Mr. Sousa summarized that a bond needed to be signed for equipment for maximum use life on certain machines.

Motion: Selectman Jeannotte made a motion to approve the maximum useful life of machines indicated on a report from the Finance Director. Selectman Wojtas seconded the motion. Motion carried

Town Manager Reports Continued:

Mr. Cohen reported that there would be three new standing committees being formed: the Chelmsford Bicycle and Pedestrian Advisory Committee, Permanent Building Committee, and the Energy Conservation Committee. Discussion ensued as to what these committees would look like in terms of membership. The Board expressed some concerns that the criteria for members was too restrictive and should be more open so it could apply to more residents.

Motion: Selectman Jeannotte made a motion that the Town Manager begin to recruit for the Bicycle and Pedestrian Advisory Committee; Energy Conservation Committee and the Permanent Building Committee (PBC), expanding the PBC with two additional members. Selectman Wojtas seconded the motion. Motion carried.

Approval of Minutes:

Motion: Selectman Jeannotte made a motion to approve the following minutes with no amendments: 4-3-08 (1 abstention: Chairman Eliopoulos); 4-22-08; 4-28-08; 5-01-08; and 5-1-08 Executive session to be released.

Motion: Selectman Jeannotte made a motion to approve the 3-10-08 meeting minutes; Amended page three under GIC, unions have to agree 70%; and the 3-24-08 meeting minutes, page 3 under SAFER grant no money at end of grant. Selectman Wojtas seconded the motion. Motion carried (1 abstention: Selectman Dahlberg)

Selectman Referrals:

Selectman Dahlberg made the following referral(s):

1. Selectman Dahlberg mentioned the efforts by residents against the Billerica Power Plant and that there would be a public session on June 3rd.

Selectman Jeannotte made the following referral(s):

1. Selectman Jeannotte reported on the MMA Regionalization Seminar she attended.
2. Selectman Jeannotte reported on the recent ceremony to dedicate the Roll Call room at the Police Station.

Selectman Wojtas made the following referral(s):

1. Selectman Wojtas mentioned a seminar she recently attended regarding new guidelines for 40B.

Chairman Eliopoulos made the following referral(s):

1. Chairman Eliopoulos reported on the date of the Economic Summit and invited the community to attend.

Press Questions:

None

Adjournment:

Motion: Selectman Jeannotte made a motion to adjourn at **10:20pm.** Selectman Wojtas seconded the motion. Motion unanimously carried.

Respectfully submitted,

Patrice Garvin

Approved and released 5/19/2008

TOWN OF CHELMSFORD
BOARD OF SELECTMEN MINUTES – Executive Session
Thursday, May 1, 2008
Senior Center
75 North Rd, Chelmsford

Attending:

Philip M. Eliopoulos, Selectman Chair
Clare Jeannotte, Selectman Vice Chair
Patricia Wojtas, Selectman Clerk
William F. Dalton, Selectman
Eric R. Dahlberg, Selectman

Paul Cohen, Town Manager
John Giorgio, Town Counsel

6:55pm
Chairman Eliopoulos called the meeting to order.

Litigation:
Mr. Giorgio reviewed the list of pending cases in which the Town is involved.

Adjournment:

Motion: Selectman Jeannotte made a motion to adjourn Executive Session at 7:25pm. Selectman Wojtas seconded the motion. Motion unanimously carried.

Selectman Wojtas	Aye
Selectman Jeannotte	Aye
Selectman Dahlberg	Aye
Selectman Dalton	Aye
Chair Eliopoulos	Aye

Respectfully submitted,

Pat Wojtas, Selectman Clerk

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA
June 2, 2008

Town Offices
50 Billerica Rd.

7:00 p.m. Call to Order

Public Service Announcements

- Presentation of BOS Chairman's Plaque to Sam Chase
- Proclamation for Laurie Myers, Unsung Heroine Award
- Annual Arts and Technology in Education Fund Awards
- Chelmsford Garden Club House Tours

Open Session

-

Scheduled Business

7:30 p.m. Aggregate Industries – Public Hearing for increase in above ground storage License

8:00 p.m. Tedeschi Food Shops dba Lil' Peach – Public Hearing, increase hours of operation (to be continued 6/30/08)

8:10 p.m. Chief Murphy: Police Department Rules and Regulations

8:30 p.m. East Chelmsford Water District Annual Update

8:45 p.m. Congregation Shalom – One Day Beer & Wine License June 14 2008

Town Manager Bid Awards

- Operation of Chelmsford Forum Ice Skating Rink
- DPW miscellaneous bid awards

Town Manager Reports

- CPC Robin Hill Road Land - Jones Lease & Chey Lease

BOS Meeting Minutes

- BOS Regular Meeting Minutes 4/7/2008

***** This meeting is televised. *****

Unscheduled Business

- Format of Town Manager's Performance Review
- Board of Selectmen's Recommendations on Special Town Meeting Warrant Articles
- BOS Meeting Schedule – Proposed dates; July 14, July 28, August 11, August 28

Selectman Referrals

Press Questions

Executive Session

- Possible land acquisition

Next Regular Meeting: June 16, 2008

APPROVED 8/25/08

TOWN OF CHELMSFORD
BOARD OF SELECTMEN MINUTES
Monday, June 2, 2008
50 Billerica Rd, Chelmsford

Attending:
Philip M. Eliopoulos, Chairman
Clare Jeannotte, Vice Chair
Patricia Wojtas, Selectman Clerk
Eric Dahlberg, Selectman
William F. Dalton, Selectman
Paul Cohen, Town Manager

7:00pm
Chairman Eliopoulos called the meeting to order.

Public Service Announcements:

1. *Presentation of Plaque to Sam Chase*- Mr. Chase thanked the Board for their acknowledgment of his time as a selectman.
2. *Proclamation for Laurie Myers Unsung Heroine Award*-Selectman Jeannotte read the proclamation for Laurie Myers. Ms. Myers thanked the Board.
3. *Annual Arts and Technology Education Fund (ATEF) -Awards*-Ms. Evelyn Thoren listed the members of ATEF and thanked the Board and residents for their contributions. Ms. Thoren wanted to clarify that the money collected was not part of the school budget but supplemental support. Mr. Glenn Doherty gave a brief history of the ATEF and presented the 6 awards to teachers selected.

Open Session:

1. Bob Coshun, 29 Temi Road noted inefficiencies in the way the Town plows its roads. Chairman Eliopoulos suggested contacting the Public Works office to explain the specifics of his concerns.
2. Linda and Tom Fall requested that the Board consider hearing assistance equipment be installed at the Senior Center.

Tedeschi Food Shop d/b/a Li'l Peach:

Motion: Selectman Jeannotte made a motion to continue the Tedeschi -Food Shop public hearing regarding hours of operation until the June 30th meeting. Selectman Wojtas seconded the motion. Motion carried.

Town Manager Bid Awards: Operation of Chelmsford Forum Ice Skating Rink:
Mr. Cohen explained the structural needs of the hockey forum. Mr. Cohen explained the terms of the contract and that it was initially a three-year contract with the last two years as optional.

Motion: Selectman Jeannotte made a motion to authorize the Town Manager to enter into a contract with Facilities Management Corp, located in Pembroke MA to manage and operate the Chelmsford Forum from 7-1-08 to 6-30-11 with an

option for two years until 6-30-13. Selectman Wojtas seconded the motion. Motion carried.

Aggregate Industries-Public Hearing for increase in above ground storage License:
Tim Jones of Aggregate Industries stated that his application for increased sized storage tanks has been before the Conservation Commission and Planning Board. Mr. Jones stated that he was seeking approval from the Board of Selectmen. Mr. Jones explained current storage capacity. The new vertical tanks would be safer, more economical and reduce the number of trucks required to fill the tanks. Mr. Jones commented on the infractions that were self reported by Aggregate. Mr. Jones assured the Board that protections have been put in place so there will be no more violations. Mr. Jones noted that emissions are reported to the state every year. Mr. Jones explained to the Board the process of where the applications go after Board of Selectmen approval. Chief Parow stated that the tanks would be safer. Mr. Pearson stated no traffic was being impacted, although actual traffic volume is significantly higher than originally estimated. Chief Murphy stated that he had no concerns with Aggregate.

Public Input:
The following residents spoke against the Aggregate application:

1. Christine McNamara, High Street
2. Barbara Bunn, Chamberlain Rd,
3. Jim Pindar, Robin Hill Rd
4. Linda Fall, Littleton Rd
5. Tom Fall, Littleton Rd
6. Roy Earley, Precinct 6
7. Laura Andrews, Tadmuck Rd

Motion: Selectman Jeannotte made a motion to continue the public hearing for Aggregate Industries until June 16th at 8pm. Selectman Wojtas seconded the motion. Motion carried.

Congregation Shalom-One Day Beer & Wine License:
Dennis McHugh represented the Congregational Shalom requesting a one-day license.

Motion: Selectman Jeannotte made a motion to approve a one-day beer and wine license to Congregational Shalom for June 14, 2008 from 6pm-12am. Selectman Wojtas seconded the motion. Motion carried.

Chief Murphy-Police Department Rules and Regulations:
Chief Murphy addressed the Board with current revisions and stated that each officer will receive a new manual with the edits to the rules and regulations.

Motion: Selectman Jeannotte made a motion to approve the revised Rules and Regulations of the Police Department as submitted by Chief Murphy. Selectman Wojtas seconded the motion. Motion carried.

East Water District Annual Update:

Kathleen McGonigal updated the Board on the district's activities, which included tank updates, and the upgrade of the infrastructure.

Town Manager Bid Awards:

Mr. Cohen stated that costs have gone up due to increased fuel costs and presented the Board with a listing of items, with updated prices.

Motion: Selectman Jeannotte made a motion to approve the Town Manager bid awards for the DPW/Highway as presented to the Board. Selectman Wojtas seconded the motion. Motion carried.

Town Manager Reports:

1. Mr. Cohen reported that the CPC acquisition of property on Robin Hill Road was scheduled to close on June 17th. Mr. Cohen stated that two leases related to the property would remain in effect.
2. Mr. Cohen reported that the building commissioner was retiring June 13th but agreed to stay on at a part-time capacity, which would save the Town money. Savings occur because someone new would not have to be hired with benefits.
3. Mr. Cohen reported that the email conversion in Town has begun and was going well. Now the school and Town will be on the same server.
4. Mr. Cohen reported that a temporary fence was being erected behind 60 Chelmsford St., as part of the Bike Trail construction. The business owner is concerned about the loss of parking spaces. Efforts are being made to alleviate any hardship.
5. Mr. Cohen reported that the Hillside Gardens project is currently being reviewed by the ZBA.

Approval of Minutes:

Motion: Selectman Jeannotte made a motion to approve the April 7, 2008 regular meeting minutes, removing any correction mark-ups in the document. Selectman Wojtas seconded the motion. Motion carried.

Review of Town Manager:

Chairman Eliopoulos stated that he would revise the document used for the Town Manager's review based on comments of Board members.

Special Town Meeting Warrant Articles:

Mr. Cohen stated that FinCom has not taken position on any of the Special Town Meeting Warrant Articles.

Motion: Selectman Jeannotte made a motion to table recommending Special Town Meeting Article 1 and recommended approval for Special Town Meeting Articles 2 and 3, relating to the sewer construction. Selectman Wojtas seconded the motion. Motion carried.

Selectman Referrals:

Selectman Dalton made no referrals.

Selectman Wojtas made the following referral(s):

1. Selectman Wojtas noted the closure of the South fire station. Mr. Cohen explained that the south station closed early due to schedules.

Selectman Dahlberg made the following referral(s):

1. Selectman Dahlberg reported that there was a Billerica Power Plant meeting scheduled.

Selectman Jeannotte made the following referral(s):

1. Selectman Jeannotte reported that there was a recent dedication of a flower garden at the library.

Chairman Eliopoulos made the following referral(s):

1. Chairman Eliopoulos commented on the upcoming leadership meeting.
2. Chairman Eliopoulos remarked on the turnout for the recent Memorial Day parade.
3. Chairman Eliopoulos reminded the community of two upcoming events, both scheduled for June 17: a Flag Day ceremony at Old Town Hall to be conducted by the Chelmsford Elks; and an Economic Development Forum to be held at the Senior Center.

Press Questions:

None

Adjournment:

Motion: Selectman Jeannotte made a motion to adjourn at **10:07pm** into Executive Session for the purpose of discussing real property and status of current litigation. Selectman Wojtas seconded the motion.

Roll Call Vote:
Selectman Dalton - aye;
Selectman Wojtas - aye;
Selectman Jeannotte - aye;
Selectman Dahlberg - aye;
Chairman Eliopoulos - aye

Respectfully submitted,

Patrice Garvin

APPROVED 6/30/2008

TOWN OF CHELMSFORD
BOARD OF SELECTMEN MINUTES
Monday, June 9, 2008
Town Offices
50 Billerica Rd, Chelmsford

Attending:
Philip M. Eliopoulos, Selectman Chairman
Clare Jeannotte, Selectman Vice Chair
Patricia Wojtas, Selectman Clerk
Eric R. Dahlberg, Selectman
Paul Cohen, Town Manager

5:45pm
Chairman Eliopoulos called the meeting to order.

Special Town Meeting Warrant:
Mr. Cohen reviewed the proposed TIF agreement between the Town and Arbor Networks.

Motion: Selectman Jeannotte made a motion to sign the warrant for a Special Town Meeting to be held on June 26, 2008 at 7:30PM. Selectman Wojtas seconded the motion. Motion carried.

Town Manager Updates:
Mr. Cohen reported that the Garden Club had asked for permission to hold an impromptu plant sale at the Common, due to having excess plants remaining after their recent house tour. Mr. Cohen gave them approval for that activity.

Mr. Cohen noted that the purchase of the Lewis property will be finalized soon. The parties have asked that the sale be completed by separate paperwork for each of the two parcels, rather than combined in one transaction.

Bid Awards:

Motion: Selectman Jeannotte made a motion to approve the Town Manager's bid award for installation of vinyl based flooring at Westlands School to West Floor Covering, for the amount of $51,727. Selectman Wojtas seconded the motion. Motion carried.

Motion: Selectman Jeannotte made a motion to approve the Town Manager's bid award for installation of vinyl based flooring at Byam School to Fellsway, Inc., for the amount of $83,515. Selectman Wojtas seconded the motion. Motion carried.

Town Accountant's Performance Review:

Selectman Jeannotte reported that she would like to schedule the Town Accountant's annual performance review for Friday, June 13. She asked that any input from other Board members be forwarded to her by Wednesday, June 11. The review will be conducted by Selectmen Jeannotte and Eliopoulos, with Mr. Cohen also participating.

Adjournment:

Motion: Selectman Jeannotte made a motion to adjourn at 6:20pm. Selectman Wojtas seconded the motion. Motion unanimously carried.

Respectfully submitted,

Pat Wojtas, Selectman Clerk

APPROVED 6/30/2008

TOWN OF CHELMSFORD
BOARD OF SELECTMEN MINUTES
Thursday, June 12, 2008
Senior Center
75 Groton Rd, N. Chelmsford

Attending:

Philip M. Eliopoulos, Selectman Chairman
Clare Jeannotte, Selectman Vice Chair
Patricia Wojtas, Selectman Clerk
William Dalton, Selectman
Eric R. Dahlberg, Selectman

Paul Cohen, Town Manager
John Giorgio, Town Counsel
John Sousa, Town Treasurer

6:30pm
Chairman Eliopoulos called the meeting to order.

Borrowed Funds:
Mr. Cohen reviewed the bond sales recently held for required Town borrowing.

Motion: Selectman Jeannotte made the following motion:

To approve the sale of the $5,635,900 General Obligation Municipal Purpose Loan of 2008 Bonds, Series A of the Town dated June 15, 2008 to Eastern Bank at the price of $5,654,140.66 and accrued interest. The Series A Bonds shall be payable on June 15 of the years and in the principal amounts and bear interest at the respective rates, as follows:

Year	Amount	Interest Rate
2009	$655,900	3.00%
2010	655, 000	3.00
2011	655, 000	3.00
2012	655, 000	3.25
2013	545, 000	3.25
2014	280, 000	3.25
2015	280, 000	3.50
2016	280, 000	3.60
2017	280, 000	3.75
2018	280, 000	3.75
2019	235, 000	4.00
2020	230, 000	4.00
2021	230, 000	4.00
2022	200, 000	4.00
2023	175, 000	4.125

And to approve the sale of the $2,507,185 General Obligation Municipal Purpose Loan of 2008 Bonds, Series B of the Town dated July 1, 2008 to Eastern Bank at the price of $2,511,030.56 and accrued interest. The Series B Bonds shall be payable on June 15 of the years and in the principal amounts and bear interest at the respective rates, as follows:

Year	Amount	Interest Rate
2010	$252,185	3.00%
2011	250,000	3.00
2012	250,000	3.00
2013	250,000	3.25
2014	185,000	3.25
2015	180,000	3.50
2016	180,000	3.75
2017	180,000	3.75
2018	180,000	3.75
2019	100,000	4.00
2020	100,000	4.00
2021	100,000	4.00
2022	100,000	4.00
2023	100,000	4.125
2024	100,000	4.125

And to approve the sale of a $15,138,889, 1.60 percent General Obligation Bond Anticipation Note of the Town dated June 19, 2008, and payable September 19, 2008 to Eastern Bank at par and accrued interest plus a premium of $832.64.

And to approve in connection with the marketing and sale of the Bonds, the preparation and distribution of a Notice of Sale and Preliminary Official Statement dated May 28, 2008, and a final Official Statement dated June 9, 2008, each in such form as may be approved by the Town Treasurer.

And to approve in conjunction with the marketing and sale of the Note, the preparation and distribution of a Notice of Sale and Preliminary Official Statement dated June 3, 2008, and a final Official Statement dated June 9, 2008, each in such form as may be approved by the Town Treasurer.

The Bonds shall be subject to redemption, at the option of the Town, upon such terms and conditions as are set forth in the Official Statement.

The Town Treasurer and the Board of Selectmen are authorized to execute and deliver continuing and material events disclosure undertakings in compliance with SEC Rule 15c2-12 in such forms as may be approved by bond counsel to the Town, which undertakings shall be incorporated by reference in the Bonds and Note, as applicable, for the benefit of the holders of the Bonds and Note from time to time.

Each member of the Board of Selectmen, the Town Clerk, and the Town Treasurer are authorized to take any and all such actions, and execute and deliver such certificates, receipts or other documents as may be determined by them, or any of them, to be necessary or convenient to carry into effect the provisions of the foregoing approvals.

Selectman Wojtas seconded the motion. Motion carried.

Adjournment:

Motion: Selectman Jeannotte made a motion to adjourn to Executive Session for the purpose of discussing litigation at 6:50pm. Selectman Wojtas seconded the motion. Motion unanimously carried.

Selectman Dalton: Aye
Selectman Dahlberg: Aye
Selectman Wojtas: Aye
Selectman Jeannotte: Aye
Chairman Eliopoulos: Aye

Respectfully submitted,

Pat Wojtas, Selectman Clerk

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA
June 16, 2008

Town Offices
50 Billerica Rd.

6:30 p.m. Executive Session

7:00 p.m. Call to Order

Public Service Announcements

- **Gold Award Recipients**

Open Session

Scheduled Business

7:30 p.m. NMCOG Executive Director Beverly Woods

7:45 p.m. Sichuan Palace, All Alcohol License, Public Hearing

7:50 p.m. Village Grille – Alteration of Premises, Beer & Wine to All Alcohol Restaurant License

7:52 p.m. Sabatino's – Change of Ownership, Common Victualer License

7:55 p.m. Faith Pelletier – Old Town Hall

8:00 p.m. Aggregate Industries – Continued Public Hearing, increase in above ground storage License

8:30 p.m. John Sousa & Darlene Lussier – FY 08 Financial update

Town Manager Contract Awards

- Network Server and Storage Infrastructure Design/ Implementation – Rutter Networking Technologies
- CHS Flooring – West Floor Covering, Inc.

Town Manager Appointments

- Annual Town Manager Appointments

Town Manager Reports

- Legal Update

BOS Appointments

- Annual BOS Appointments

***** This meeting is televised. *****

BOS Meeting Minutes

- BOS Work Session Minutes April 14, 2008
- BOS Executive Session Minutes April 14, 2008
- BOS Work Session Minutes May 14, 2008
- BOS Executive Session Minutes May 14, 2008

Unscheduled Business

- Finalize Town Managers Performance Review document for manager's review at the June 30th meeting.

Selectman Referrals

Press Questions

Executive Session

Next Regular Meeting: June 30, 2008

APPROVED AS
AMENDED 8/25/08

TOWN OF CHELMSFORD
BOARD OF SELECTMEN MINUTES
Monday, June 16, 2008
50 Billerica Rd, Chelmsford

Attending:
Philip M. Eliopoulos, Chairman
Clare Jeannotte, Vice Chairman
Patricia Wojtas, Selectman Clerk
Eric Dahlberg, Selectman
William F. Dalton, Selectman

Paul Cohen, Town Manager

7:00pm
Chairman Eliopoulos called the meeting to order.

Public Service Announcements:

1. *Gold Award Recipients*- The Board recognized and congratulated the 2008 Girl Scout Gold Award recipients.

Open Session:

1. Brian Reidy and Lynn Marcella updated the Board on the 4th of July parade activities.

NMCOG Executive Director:
Beverly Woods, Executive Director of NMCOG, gave a brief history on NMCOG and their presence in communities and NMCOG's goals and objectives. Ms. Woods described what NMCOG could do for the Town. Chairman Eliopoulos stated that there was opportunity for the Planning Board and Board of Selectmen to utilize the services of NMCOG. Jim Silva, NMCOG Chairman, stated that he looked forward to working with the Board.

Town Manager Contract Awards:
Network Server and Storage Infrastructure Design Implementations- Selectman Jeannotte asked how long the contract term was, and if there were any emergency plans created if the technology goes down. Mr. Cohen stated that Town Counsel was creating language to address the term and assured Selectman Jeannotte that emergency provisions were in place.

Motion: Selectman Jeannotte made a motion to approve the Town Manager's contract award to Rutter Networking for the Network Server and Storage Infrastructure Design/Implementation pursuant to the document provided, and finalized with counsel on terms of the agreement. Selectman Wojtas seconded the motion. Motion carried.

Sichuan Palace, All Alcohol License:
Chris Coleman, on behalf of the establishment, requested a Common Victualer license and an all alcohol license.

Motion: Selectman Jeannotte made a motion to approve a Common Victualer License to Wys Enterprises Inc d/b/a Sichuan Palace, 7 Summer Street; hours of operation Mon-Fr 11am-10pm, Sat 10am-11pm and Sun 10am-10pm with seating capacity of 100. Selectman Wojtas seconded the motion. Motion carried.

Motion: Selectman Jeannotte made a motion to continue the Public Hearing for an all alcohol license for Sichuan Palace until June 30th at 7:30pm, in line with the Board's alcohol policy. Selectman Wojtas seconded the motion. Motion carried.

Village Grille-Alteration of Premises, and All Alcohol License:
Alan Curtis requested the Board approve the altering of the premises and all alcohol licenses.

Motion: Selectman Jeannotte made a motion to continue the public hearing for the Village Grille to alter its premise and change from beer/wine to all alcohol until June 30th at 7:35pm. Selectman Wojtas seconded the motion. Motion carried.

Sabatino's Change of Ownership and Common Victualer License:

Motion: Selectman Jeannotte made a motion to approve a Common Victualer License to Sabatino's, 17 Vinal Square subject to a food service permit from Board of Health; hours of operation Sun-Sat 10am-11pm, seating capacity 28. Selectman Wojtas seconded the motion. Motion carried.

Faith Pelletier-Old Town Hall:
Ms. Pelletier explained to the Board that she wanted to rent the Old Town Hall to run a community theater. Mr. Cohen stated that the Town would not incur any costs.

Aggregate Industries-Continued Public Hearing:
Jeff Ciampa and Tim Jones of Aggregate addressed the Board. Selectman Jeannotte asked Aggregate to explain their hours of operation. Mr. Ciampa explained when the plant operates during the day and it depended on contracts. Mr. Ciampa explained the audit of Aggregate and added that now the company is certified under the international standards known as ISO14000. Mr. Jones explained that the self-reporting violations penalties were paid. Selectman Wojtas asked if the company was operating at high or low capacity. Mr. Ciampa stated that the company was currently operating less than they are permitted. Selectman Dalton suggested a condition that limits the capacity of Aggregate, not to exceed current capacity. Selectman Dalton also expressed concern for state oversight. Discussion ensued as to the use of spec-oil at the facility.

Public Input

1. Kevin Ross, 7 Billerica Road, was concerned with new tanks increasing capacity and production. Mr. Ross was also concerned with trucks that go in and out that cause noise and cause damage to local roads.
2. Laura Andrews asked who oversaw operations. Mr. Ciampa stated that MassHighway sets hours and days of operation. Ms. Andrews stated that production would increase if tanks were replaced.
3. Linda Fall was against tank expansion and cited health risks to the area.
4. Jan Pendum was concerned with emissions.
5. Barbara Bunn asked for any conditions in writing and wanted to know who would monitor capacity. Ms. Bunn also commented on the odor emitted from Aggregate.
6. Jean Bruce, from the Mobile Home Park proposed a possible cancer cluster caused by Aggregate.
7. John Wojcik, Littleton Road cited the conditions of the roads by the large trucks that come through. Mr. Wojcik cited health concerns.
8. Jim Pinda addressed the Board with his concerns.
9. Tom Fall was concerned with the neighborhood and urged the Board to vote against it.
10. Leo Manning asked a series of questions that related to the health concerns of the community. Mr. Manning requested that Mr. Ciampa respond to all of his questions, which Mr. Ciampa did.

Motion: Selectman Jeannotte made a motion to continue the Aggregate Public Hearing until the next Board of Selectmen meeting on June 30th at 8:45 p.m. Selectman Wojtas seconded the motion. Motion carried.

John Sousa & Darlene Lussier-FY08 Financial Update:

Mr. Sousa updated the board that the bond rating was secured at AA-. Mr. Sousa gave highlights of the revenue at the end of the fiscal year. Mr. Sousa stated that he was confident that the Town would meet or exceed revenues for the budget year.

Ms. Lussier explained when the last expense warrants would be and that the Department Heads did a great job managing their budgets. Ms. Lussier stated that final bills were being received.

Town Manager Annual Appointments:

Motion: Selectman Jeannotte made a motion to approve the Town Manager's annual appointments as presented and listed. Selectman Wojtas seconded the motion. Motion carried.

Town Manager Reports:

1. Mr. Cohen reported on a foreclosure and an upcoming public auction for the property.
2. Mr. Cohen commented on the new Recycling Program for large items, which will take effect July 1st.

Board of Selectmen Appointments:

Motion: Selectman Jeannotte made a motion to appoint Michael McCall to the Board of Registrars. Selectman Wojtas seconded the motion. Motion carried.

Motion: Selectman Jeannotte made a motion to appoint Dennis Bak and John Morrison to the Capital Planning Committee for one-year terms. Selectman Wojtas seconded the motion. Motion carried.

Motion: Selectman Jeannotte made a motion to appoint Debra Mungovan and Edmond Roux to the Personnel Board for two-year terms. Selectman Wojtas seconded the motion. Motion carried.

Motion: Selectman Jeannotte made a motion to appoint Walter Hedlund and Robert Kelley to the Public Celebrations Committee for one-year terms. Selectman Wojtas seconded the motion. Motion carried.

Approval of Minutes:

Motion: Selectman Jeannotte made a motion to approve the April 14, 2008 work session minutes, the April 14, 2008 Executive Session minutes, and the May 14, 2008 Regular Session minutes and the 5-14-08 Executive Session minutes as amended. Selectman Wojtas seconded the motion. Motion carried.

Town Manager Performance:

Chairman Eliopoulos stated that the formal review could occur at the June 23rd Work Session. Chairman Eliopoulos stated that the final performance evaluation form could be completed in a week.

Selectman Referrals:

Selectman Dalton made the following referral(s):

1. Selectman Dalton noted that Kopelman and Paige was not listed in the appointments and needed to be done at the next meeting.

Selectman Wojtas made the following referral(s):

1. Selectman Wojtas reported that the new monument at Veterans Park was dedicated.
2. Selectman Wojtas noted an upcoming meeting for Community Development Block Grant planning.

Selectman Jeannotte made the following referral(s):

1. Selectman Jeannotte requested a report of the Town's vehicle Fleet.
2. Selectman Jeannotte asked about the policy for issuing cell phones to Town employees.
3. Selectman Jeannotte noted that the Personnel Board continues to work on updating the Town's Personnel Handbook.

4. Selectman Jeannotte reminded the community about the upcoming Economic Development Forum, and Fire Dept/DPW Facilities meeting.
5. Selectman Jeannotte congratulated the recent graduates from Chelmsford High School.

Selectman Dahlberg made the following referral(s):

1. Selectman Dahlberg reported on the Board of Health meeting and mosquitoes issues discussed.
2. Selectman Dahlberg reported on the recent School Committee workshop.

Chairman Eliopoulos made the following referral(s):

1. Chairman Eliopoulos commented on the upcoming leadership meeting.
2. Chairman Eliopoulos reported on the upcoming Flag Day ceremony to be hosted by the Chelmsford Elks.

Press Questions:

Rita Savard, from the Lowell Sun, requested a copy of the Town Manager evaluation form, and asked for clarification regarding the timeline for the Aggregate Industries public hearing.

David Golann, from the Chelmsford Independent, also requested a copy of the Town Manager evaluation form. He also asked about potential conditions to be placed on Aggregate in relation to production capacity.

Adjournment:

Motion: Selectman Jeannotte made a motion to adjourn at **10:07pm.** Selectman Wojtas seconded the motion. Motion carried.

Respectfully submitted,

Patrice Garvin

CHELMSFORD BOARD OF SELECTMEN
WORK SESSION AGENDA
June 23, 2008

Town Offices
50 Billerica Rd.

5:30 p.m. Call to Order

Town Accountant Performance Appraisal

Board of Selectman Goals

Town Manager Contract Awards

- CHS Flooring – West Floor Covering, Inc.

Discussion re: Aggregate Industries

Next Regular Meeting: June 30, 2008

APPROVED 8/25/08

TOWN OF CHELMSFORD
BOARD OF SELECTMEN MINUTES – Work Session
Monday, June 23, 2008
Town Offices
50 Billerica Rd, Chelmsford

Attending:
Philip M. Eliopoulos, Selectman Chairman
Clare Jeannotte, Selectman Vice Chairman
Patricia Wojtas, Selectman Clerk
William F. Dalton, Selectman
Eric R. Dahlberg, Selectman

Paul Cohen, Town Manager

5:40pm
Chairman Eliopoulos called the meeting to order.

Liaison Policy:
Updates to the Liaison Policy were reviewed. It was decided that it shall be the responsibility of the Chairman of the Board to send a letter to each board and committee informing them of the policy, and listing Selectman liaison assignments.

All Saints Church:

Motion: Selectman Jeannotte made a motion to approve a one day All Alcohol license for All Saints Church for June 29, 2008. Selectman Wojtas seconded the motion. Motion carried.

McDonald's Restaurant:

Motion: Selectman Jeannotte made a motion to approve a Common Victualer for McDonald's Restaurant, operating 24 hours per day, subject to final approval from the Board of Health and Building Inspector. Selectman Wojtas seconded the motion. Motion carried.

Bid Award:

Motion: Selectman Jeannotte made a motion to approve the Town Manager's bid award to West Floor Covering, Inc. for tile replacement at the High School. Selectman Wojtas seconded the motion. Motion carried.

Hillside Gardens:
Mr. Cohen reported that commercial abutters to the proposed Hillside Gardens development are questioning whether the Board of Selectmen was appropriately notified of changes to the project, specifically the reduction in units from 59 to 44. It was noted that the developer has met all the conditions specified when LIP approval was granted.

Motion: Selectman Jeannotte made a motion to send a letter to the Zoning Board of Appeals confirming that all conditions have been met, and there is no requirement to reopen the Board approval process. Selectman Wojtas seconded the motion. Motion carried.

Aggregate Industries:

Mr. Cohen reported that representatives from Aggregate Industries have requested suggested language that should be included in a letter from them, that would satisfy conditions that the Board has indicated will be necessary for consideration of fuel storage expansion. Chairman Eliopoulos indicated that he also wants to review monthly fuel consumption and production reports 2004 through present. Selectmen Jeannotte noted other issues that must be considered, including traffic concerns and safety of the fuel storage. Selectman Dalton requested additional information regarding air quality. Selectman Jeannotte asked that the Board of Health report on any complaints against Aggregate, as well as an assessment of potential health issues. She also asked that reports be provided from the DEP regarding violations and enforcement actions.

Town Accountant Performance Review:

Selectman Jeannotte reported that she, Chairman Eliopoulos, and Mr. Cohen met with Town Accountant Lussier on June 13. The review was generally favorable, noting that Ms. Lussier is a solid, stable employee. Selectman Jeannotte noted that Ms. Lussier is respected by her peers, and is working towards her certification, which was listed as one of her goals for the upcoming year. The documented performance review was provided to the Board.

Board of Selectmen/Town Manager Goals:

Following are the goals that were agreed upon for Fiscal Year 2009:

Fiscal Goals:

- Operate within fiscal means
- Control health care costs
    - GIC
    - Other Cost-saving measures
- Aggressively negotiate union contracts
    - Coordinate with schools
    - Maintain equity
- Control energy costs
    - Energy audits
    - Green initiatives
- Investigate grant opportunities
- Develop 3-year strategic budget

Community Engagement:

- Conduct 1-2 public forums per year
    - Follow-up with Board review

- Utilize Media/press/website
- Recruit volunteers/interns
- Implement volunteer appreciation program

Economic Development Strategy:
- Update Master Plan
- Implement Affordable Housing Master Plan
    - Requires update mid-2009
- Inventory available properties for best use
- Expedited permitting
    - Chapter 43d
    - Local expedited permitting initiatives/process
- Center Planning/reconfiguration
    - Beautification
    - Parking
    - Village planning
    - Bike path
    - Utility suppression

Capital Assessment and Facilities Plan:
- Permanent Building Committee to assess long term needs
- DPW/FD decision
- Green initiatives

Legislative outreach and accountability

BOS policy update completion

Town Manager Reports:

Mr. Cohen reported on the status of each department as regards changes required as a result of budget adjustments for Fiscal Year 2009.

Mr. Cohen reported that he and Evan Belansky met with developers who are proposing a medical professional office building on Technology Drive, and relocating tenants from Lowell to the new facility.

Mr. Cohen reported that he met recently with a local builder who is proposing renovation of the former Sovereign Bank building in Chelmsford Center.

Mr. Cohen reported that based upon the continuing meetings with surrounding communities exploring options for weekly recycling, it is a cost of approximately $300,000 per year and thus, unaffordable at this time. The Board discussed options for consideration at the next contract renewal June 30, 2010.

Special Town Meeting:

Motion: Selectman Jeannotte made a motion to recommend approval of Warrant Article 1 of the Special Town Meeting to be held on June 26. Selectman Wojtas seconded the motion. Motion carried.

Adjournment:

Motion: Selectman Jeannotte made a motion to adjourn at 10:00pm. Selectman Wojtas seconded the motion. Motion unanimously carried.

Respectfully submitted,

Pat Wojtas, Clerk of the Board of Selectmen

TOWN OF CHELMSFORD
BOARD OF SELECTMEN MINUTES
Thursday, June 26, 2008
75 Groton Road, Senior Center

APPROVED AS
AMENDED 8/25/08

Attending:

Philip M. Eliopoulos, Selectman Chairman
Clare L. Jeannotte, Selectman Vice Chairman
William F. Dalton, Selectman
Eric R. Dahlberg, Selectman

Paul Cohen, Town Manager
John Giorgio, Town Counsel

6:40 pm
Chairman Philip Eliopoulos called the meeting to order.

Hall Road Street Opening Permit
The Board considered a request from National Grid to excavate the roadway at 12 Hall Road to allow a new homeowner to convert their utilities from heating oil to natural gas. The Town had resurfaced this roadway during the last construction season. The Town's policy to protect its investment in its roadways is not to allow for excavation of a secondary road for a period of two years after resurfacing without a permit issued by the Board of Selectmen. Since the new furnace and hot water heater had already been installed, an alternative would have required the modification of these systems to propane gas. Selectman Bill Dalton moved that the Board issue a street opening permit for Hall Road with the condition that the National Grid would be responsible for maintenance of the excavated area roadway surface over the next five years. Selectman Eric Dahlberg seconded the motion. Voted unanimously (4-0).

Appointment of Town Counsel
Chairman Philip Eliopoulos explained that the Board had decided to wait until it had an opportunity to meet with John Giorgio prior to the appointment of Town Counsel for the upcoming fiscal year. Selectman Bill Dalton expressed his concerns with the performance of some of the attorneys from Kopelman and Paige when John Giorgio was unavailable. John Giorgio informed the Board that he would make every effort to arrange his schedule to be in attendance at Town Meetings. He added that if he were not available, then Lauren Goldberg would serve as back-up counsel. With respect to the billing rate for the upcoming fiscal year, John Giorgio noted that the current blended hourly rate of $165/hour may increase by $5 to $10. Selectman Clare Jeannote moved that the Board appoint Kopelman and Paige as Town Counsel for Fiscal Year 2009. Selectman Dalton seconded the motion. Voted unanimously (4-0).

Aggregate Industries
The Board reviewed a letter dated June 26, 2008 from Aggregate Industries. This letter provided a voluntary expansion restriction of not more than 140,000 tons of hot-mix asphalt in any calendar month, nor more than 900,000 tons over any 12 month rolling period. However, aggregate reserved the right to make operational efficiency

adjustments to the plant. Chairman Eliopoulos asked the other Board members to review the Aggregate Industries letter and to begin to consider what concerns or conditions that the Board may want to impose if it were to grant a license for the increased fuel storage capacity. He explained that the Board may wish to consider limits on the plants operating capacity, a masking agent for odor emissions from the plant, reporting requirements for the plant's output, a complaint protocol for odors and other nuisances, an impact fee to monitor/enforce the license provisions, and compliance with all federal, state, and local laws, rules, and regulations.

There being no further business before the Board, Selectman Jeannotte motioned to adjourn, seconded by Selectman Dalton. Voted unanimously (4-0). The meeting adjourned at 7:27 p.m.

Respectfully submitted,

Paul E. Cohen
Town Manager

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA
June 30, 2008

Town Offices
50 Billerica Rd.

7:00 p.m. Call to Order

Public Service Announcements

-

Open Session

-

Scheduled Business

7:30 p.m. Sichuan Palace – Continuation of Public Hearing, All Alcohol License

7:35 p.m. Village Grille – Continuation of Public Hearing, Alteration of Premises, Change from Beer & Wine to All Alcohol License

7:40 p.m. Jones Farm – six month review on conditions placed on Common Victualer License

7:50 p.m. Town Manager's Performance Review

8:45 p.m. Aggregate Industries – Continuation of Public Hearing Above Ground Storage License

Town Manager Reports

-

BOS Meeting Minutes

- BOS Regular Meeting Minutes May 5, 2008
- BOS Work Session Minutes June 9, 2008
- BOS Executive Session Minutes June 12, 2008
- BOS Minutes Special Town Meeting June 12,2008

Unscheduled Business

***** This meeting is televised. *****

Selectman Referrals

Press Questions

Executive Session

Next Regular Meeting: July 21, 2008

APPROVED 9/8/08

TOWN OF CHELMSFORD
BOARD OF SELECTMEN MINUTES
Monday, June 30, 2008
50 Billerica Rd, Chelmsford

Attending:
Philip M. Eliopoulos, Chairman
Clare Jeannotte, Vice Chair
Patricia Wojtas, Selectman Clerk
Eric Dahlberg, Selectman
William F. Dalton, Selectman

Paul Cohen, Town Manager

7:00pm
Chairman Eliopoulos called the meeting to order.

Open Session/Public Service Announcements
None

Town Manager Reports:

1. Mr. Cohen submitted his list, as required by Charter, of those that could be designated to serve as acting Town Manager as needed.
2. Mr. Cohen distributed the Town's current vehicle Fleet list.
3. Mr. Cohen stated the need to contact town counsel in relation to 66 Graniteville Road.
4. Mr. Cohen reported that the North Water District has begun the notification process for construction of a water treatment facility. Mr. Cohen stated that he would follow-up with the Board.
5. Mr. Cohen noted that he was required to submit an appointment for Fence Viewer. **Motion:** Selectman Jeannotte made a motion to appoint Jim Pearson as the Fence Viewer. Selectman Wojtas seconded the motion. Motion carried.
6. Mr. Cohen reported that work has begun on the rail trail and fencing has gone up.
7. Mr. Cohen updated the Board of the waste contract and the possibility of a consortium with other Towns.
8. Mr. Cohen reported that the Town is continuing its efforts in getting school building reimbursements.
9. Mr. Cohen reported that work is still being done on Katrina Road contamination.
10. Mr. Cohen reported on the recent auction of 60 Steadman Street.

Sichuan Palace-Continuation of Public Hearing, All Alcohol:

Motion: Selectman Jeannotte made a motion to approve an all-alcohol license for Sichuan Palace, located on 4 Summer Street; hours of operation Mon-Fri 11am-10pm; Sat 10am-11pm; Sun 10am-10pm, with seating of 26. Selectman Wojtas seconded the motion. Motion carried.

Village Grille-Continuation of Public hearing, Alteration of Premises, Change from Beer & Wine to All Alcohol:

Motion: Selectman Jeannotte made a motion to approve an all alcohol license and altering of the premise to the Village Grille, 1 Central Square; with no changes to the hours of operation, contingent on approval from the Board of Health, the Building Inspector and the actions necessary for the site-plan review by the Planning Board. Selectman Wojtas seconded the motion. Motion carried.

Approval of Minutes:

Motion: Selectman Jeannotte made a motion to approve the minutes of May 5, 2008. Selectman Wojtas seconded the motion. Motion carried.

Motion: Selectman Jeannotte made a motion to approve the minutes of June 9, 2008. Selectman Wojtas seconded the motion. Motion carried. (Selectman Dalton abstaining)

Motion: Selectman Jeannotte made a motion to approve but not release the Executive Session minutes of June 12, 2008. Selectman Wojtas seconded the motion. Motion carried.

Motion: Selectman Jeannotte made a motion to approve the minutes of June 12, 2008. Selectman Wojtas seconded the motion. Motion carried.

Town Manager Review:

Chairman Eliopoulos stated that his overall rating was satisfactory. Chairman Eliopoulos noted that the Town Manager understands his role, strives for teamwork, has good communication and works hard. Chairman Eliopoulos stated that he would like to see more accuracy and more in-depth research on some issues. Chairman Eliopoulos stated that there was a good working relationship with Town Employees and hopes to make next year more effective.

Selectman Wojtas stated that the Town Manager was very good at communication at Town Meeting, accessible to Board and the community and is noticed at all events in Town. Selectman Wojtas added that it was a tough year and some goals were not met but hoped it was not too late to follow-through on those goals.

Selectman Dalton stated that the Town Manager knows the job; was accurate and continues to do the right things for the community. Selectman Dalton added that the Town Manager keeps the Board well informed and that he was the right man to manage the community.

Selectman Jeannotte stated that the Town Manager was productive and knowledgeable. Selectman Jeannotte indicated a need to be informed of issues well before the final product was presented. Selectman Jeannotte commented on the teamwork of all the Boards and acknowledged that things take time. Selectman Jeannotte cited a few

examples on better accuracy. Selectman Jeannotte stated that the Town Manager was a hard worker and looked forward to the next year.

Selectman Dahlberg commented positively on working with the Town Manager for a brief period of time.

Mr. Cohen commented on the next fiscal year and the challenges ahead. Mr. Cohen cited good communication with the school superintendent through the override effort and how it will continue into next year. Mr. Cohen thanked the Board and his staff and hoped to continue the progress started.

Aggregate Industries-Continuation of Public Hearing Above Ground Storage:
Jeff Ciampa stated that the application to the Board has not changed. Mr. Ciampa stated that the past violations had been dealt with and that there were DEP caps in place.

Selectman Jeannotte asked questions pertaining to the past spills and violations and the spec oils used. Mr. Ciampa reassured the Board that they are following the DEP's requirements. Mr. Ciampa also explained the oils and gases used by the plant. Selectman Dalton asked about the spec oil and asked Mr. Ciampa to clarify the pollutions caused by it. Mr. Ciampa stated that the permit issued by the state is very rigorous.

Chairman Eliopoulos saw the benefit of safety with the new tanks but was concerned with increasing capacity of the plant. Chairman Eliopoulos also asked about the possible masking of the odor from the plant. Chairman Eliopoulos also wanted a better reporting structure for residents that wish to issue a complaint.

Public Input

1. John Wojcik, Littleton Road, asked if there was any surprise walks through by the Board. Chairman Eliopoulos stated that possible conditions could be placed on the permit issued by the Board.
2. Linda Fall thanked the Board and urged the Board not to issue a permit for increased tanks.
3. Tom Fall urged the Board to vote against the permit.
4. Jim Pindar cautioned that there were a lot of people in the community and that this was not good for the Town.
5. Deborah Voicy, resident of the Mobile Home Park stated that her health has deteriorated, possibly due to the plant.
6. John Johnson, an employee of Aggregate, stated that the plant was a good source of income for residents in Town and urged the Board to approve the permit.
7. Kenneth Ally, an employee of Aggregate, stated that the plant was a responsible employer and the Board should approve the permit.
8. Denise Reese of the Mobile Home Park urged the Board not to approve the permit and asked if there could be a tree buffer to help with the air pollution.
9. John Gillado, 87 Littleton Road asked if there was anything being done to update the silos.

10. Connie Lake of the Mobile Home Park asked why the Board of Health has not heard any complaints.
11. Brian McKinney of the Mobile Home Park urged the Board not to approve the permit.
12. Joyce Bennet, a resident of the Mobile Home Park, urged the Board not to approve the permit.
13. Leo Manning thanked the Board and stated his concerns and urged the Board not to approve the permits.
14. Jack Cullerman Spoke in favor of the applicant.
15. Miriam King of the Mobile Home Park spoke against the applicant.

Motion: Selectman Jeannotte made a motion to continue the public hearing until July 21, 2008 at 8:00pm. Selectman Wojtas seconded the motion. Motion carried.

Selectman Referrals:

Selectman Dalton made no referrals.

Selectman Wojtas made the following referral(s):

1. Selectman Wojtas reported on the senior housing.
2. Selectman Wojtas reported on the change in library hours.

Selectman Jeannotte made no referrals.

Selectman Dahlberg made no referrals.

Chairman Eliopoulos reminded the community of the upcoming events for the Fourth of July.

Press Questions:

none

Adjournment:

Motion: Selectman Jeannotte made a motion to adjourn into Executive Session for the purpose of Collective Bargaining for a non-union employee at **10:30pm.** Selectman Wojtas seconded the motion.
Roll Call:
Selectman Wojtas-aye
Selectman Dalton-aye
Selectman Dahlberg-aye
Selectman Jeannotte- aye
Chairman Eliopoulos-aye

Respectfully submitted,

Patrice Garvin

APPROVED AND RELEASED 9/8/08

TOWN OF CHELMSFORD
BOARD OF SELECTMEN MINUTES- EXECUTIVE SESSION
Monday, June 30, 2008
50 Billerica Rd, Chelmsford

Attending:
Philip M. Eliopoulos, Chairman
Clare Jeannotte, Vice Chair
Patricia Wojtas, Selectman Clerk
Eric Dahlberg, Selectman
William F. Dalton, Selectman

Paul Cohen, Town Manager

10:30pm
Chairman Eliopoulos called the meeting to order. Chairman Eliopoulos stated that there was a non-union employee looking to get a step and COLA increase, in-line with all of the other employees who are in the union. Discussion ensued pertaining to the job title, the employee's performance, the employee's current rate of pay and the proposed salary increase.

Motion: Selectman Jeannotte made a motion to accept the Town Accountant's evaluation as written, that would be signed by the Chairman and Vice Chairman of the Board and presented to Darlene Lussier with a schedule pay increase consistent with other non-union personnel; Step 3 Level 8 --$72,583; understanding that the Board of Selectmen may not be in the same position to offer this in the future. Selectman Wojtas seconded the motion. .
Roll Call-
Selectman Wojtas-aye
Selectman Dalton-aye
Selectman Dahlberg-aye
Selectman Jeannotte- aye
Chairman Eliopoulos-aye

Motion: Selectman Jeannotte made a motion to adjourn Executive Session at **10:54pm.** Selectman Wojtas seconded the motion.
Roll Call-
Selectman Wojtas-aye
Selectman Dalton-aye
Selectman Dahlberg-aye
Selectman Jeannotte- aye
Chairman Eliopoulos-aye

Respectfully submitted,

Patrice Garvin

CHELMSFORD BOARD OF SELECTMEN
WORK SESSION AGENDA
July 15, 2008

Town Offices
50 Billerica Rd.

5:30 p.m. Call to Order

- **Aggregate Industries Fuel Storage Permit**
- **Board of Selectmen Goals**
- **End of Fiscal Year Budget Transfers**

Town Manager Reports

Unscheduled Business

- **Policy Review Update**

Next Regular Meeting: July 21, 2008

APPROVED 9/8/08

TOWN OF CHELMSFORD
BOARD OF SELECTMEN MINUTES- Work Session
Monday, July 15, 2008
50 Billerica Rd, Chelmsford

Attending:
Philip M. Eliopoulos, Selectman Chairman
Clare Jeannotte, Selectman Vice Chair
Patricia Wojtas, Selectman Clerk
Eric Dahlberg, Selectman
William F. Dalton, Selectman
Paul Cohen, Town Manager
Robert McKertich, Town Counsel

5:35pm
Chairman Eliopoulos called the meeting to order.

Aggregate Industries Fuel Storage Permit
Chairman Eliopoulos stated that he and Mr. McKertich met with DEP to discuss what DEP has found in regards to Aggregate Industries. DEP files on Aggregate were reviewed. Mr. McKertich stated that there were two enforcement actions placed on Aggregate from the DEP.

1. Violation of multiple administrative conditions in other communities but it was not clear if Chelmsford was included.
2. There were violations on air quality discharge/waste hazard which did include Chelmsford. The violations were exceeding of limits; false statement emission allegations but they were never proved by the Attorney General's office and there was a settlement agreement for ¼ million dollars.

Chairman Eliopoulos stated that there was nothing new in the records and the DEP representative was very knowledgeable about Aggregate. DEP stated that violations could have been avoided through better education. Chairman Eliopoulos stated that it was discussed at the meting how to protect the community environmentally through conditions placed on the permit.

Chairman Eliopoulos suggested a plan be put together that would have a third party monitoring Aggregate. Mr. McKertich stated that the DEP has been doing that and that the corporate structure of Aggregate needed to be aware of the environmental issues.

Chairman Eliopoulos stated that the DEP noted Aggregate to be within the permit and that Aggregate does not violate the clean air act and is within all limits placed on them by the state. Mr. McKertich suggested the Board write precise conditions into the permit. Chairman Eliopoulos suggested having annual monitoring of Aggregate. Mr. McKertich added that the DEP was the authority and the Town can not usurp that authority. Selectman Dalton suggested any testing be paid by Aggregate and not the Town. Mr. McKertich stated that the Town could make that a condition. Chairman Eliopoulos suggested meeting with the DEP again to discuss specific conditions to place on the

permit. Selectman Dalton suggested holding off until the Board knows what it can and can't limit Aggregate to do on the permit.

Selectman Jeannotte asked if the Board of Health should be present at the next public hearing. Selectman Jeannotte asked if the Board could regulate hours of operation. Mr. McKertich stated that the Board can regulate noise and traffic.

Selectman Dahlberg stated that he supported the upgrade of the tanks but was concerned that the production may rise. Selectman Wojtas stated that now the company knows it will be watched. It was decided that Chairman Eliopoulos, Mr. McKertich and two DEP chemists would meet to discuss environmental impacts and possible conditions that could be placed on the Aggregate permit. Mr. McKertich stated that then if conditions were violated the permit could be revoked. Selectman Dalton suggested bringing a member of the Board of Health. Mr. McKertich emphasized that only recommendations from the Board of Health should be presented to the Board because they are an advisory Board.

Board of Selectmen Goals

Mr. Cohen stated that there were four main categories: Fiscal Goals; Community Engagement; Economic Development Strategies; Capital Assessment.

1. *Fiscal Goals*- Mr. Cohen stated that the Town needed to operate within its means. Selectman Jeannotte stated that the budget needed to be measured over more than a twelve month period of time. Selectman Wojtas suggested starting the process earlier than the prior year. Mr. Cohen stated that the biggest constraint was the schools. Selectman Jeannotte suggested that the Leadership Meetings was a good place to initiate discussion with the schools. Chairman Eliopoulos asked about the possibility of instituting GIC. Mr. Cohen stated that the union negotiations would determine involvement. Chairman Eliopoulos noted that the current financial situation of the Town will require aggressive contract negotiations with the unions.

2. *Community Engagement*- Chairman Eliopoulos stated that the press needed to be utilized more to have more positive news reported. Chairman Eliopoulos added that more political involvement from residents needed to occur. Selectman Jeannotte stated that the good things needed to be emphasized more directly to the press. Mr. Cohen stated that sometimes the press chooses other stories but the Town has been using the web page to publicize good news.

3. *Economic Development Strategies* – Mr. Cohen stated that he was working with Community Development on this, and that Tom Galligani has worked some on this last year. Selectman Dalton stated that notices to recruit interns could be published in the paper. Chairman Eliopoulos added that the Master Plan needed to be looked at and revised. Selectman Wojtas suggested having a meeting with the major Boards to discuss

the Master Plan. Chairman Eliopoulos suggested having two members from the Board of Selectmen, Planning Board, and the Master Plan Committee.

4. *Capital Assessment*- Mr. Cohen stated that a committee would be formed. Mr. Cohen spoke to the Town's maintenance manager regarding the committee. Chairman Eliopoulos stated that having zoning experience was critical. Mr. Cohen stated that a further work session could be scheduled to work more on the goals of the Board.

> **Motion:** Selectman Jeannotte made a motion to adopt the Board of Selectmen Goals. Selectman Wojtas seconded the motion. Motion carried.

Policy Review Update

Selectman Jeannotte stated that a new Table of Contents was created in order to highlight new and updated policies suggested for review. Selectman Jeannotte stated that all town policies were reviewed and the subcommittee asked the purpose of each policy and if it were still relevant. Selectman Jeannotte stated that the document would be useful to new members of the Board in the future. Selectman Jeannotte stated that there were new draft policies and the subcommittee was looking for feedback from the Board. Selectman Jeannotte stated that the definitions of procedure and policy needed to be clarified. Selectman Jeannotte stated that she would email the document to the Board.

Town Manager Reports

1. Mr. Cohen requested clarification for addressing board members in the minutes, on Board letterhead, etc. It was decided that the individual Board member can decide how they would like to be addressed.
2. Mr. Cohen reported that Jones Farm has not complied with all the orders given by the Board. Mr. Cohen stated that the unisex bathroom has not been put in place. Selectman Jeannotte stated that she spoke to the owner and there are financial constraints. Selectman Dalton recognized the constraints but added that the non-compliance needed to be addressed. Chairman Eliopoulos suggested a possible fine but that no public hearing was needed at this time. Selectman Dalton felt Jones Farm's owner should appear before the Board. Chairman Eliopoulos suggested having the building inspector go out and discuss options.
3. Mr. Cohen informed the Board that he has hired someone part-time to handle Code Enforcement functions. Tony Zagzoug will continue as Building Inspector on a part-time basis for the Town.
4. Mr. Cohen reported that two building watchmen were hired part-time to replace custodians recently laid off. Mr. Cohen reported that the watchmen would work four days a week from 6pm to 10pm.
5. Mr. Cohen reported that Chief Parow is now the National Association of Fire Chiefs vice president and that it is a three year commitment.
6. Mr. Cohen stated that the Town was still waiting to hear if school reimbursements would come through.
7. Mr. Cohen indicated the Board needed to vote to approve a bid award to remove the High School exterior stairwells and rebuild enclosed stairwells for security purposes. Mr. Cohen stated that it would cost $679,700 for the entire project.

Motion: Selectman Jeannotte made a motion to approve a bid to O"Connell Construction Inc, located in West Roxbury for the staircase at Chelmsford High School for a total cost of $679,700. Selectman Wojtas seconded the motion. Motion carried.

8. Mr. Cohen distributed a list to the Board indicating town employees who are issued a town owned cell phone.
9. Chairman Eliopoulos asked about the recent complaints coming from Varney Park. Mr. Cohen stated that resident parking only signs could be put up but because it was a publically funded park it might not be enforceable.

Town Manager Contract

Mr. Cohen presented a list showing the salaries of various employees in town. Mr. Cohen noted that he has the same benefits as the other employees, in terms of holiday, sick time, vacation time and health insurance benefits. Mr. Cohen requested an increase in his vehicle allowance to $500 per month. Mr. Cohen recognized that the police chief was at a higher pay rate but it was partly due to the Quinn Bill that he is at that rate. Mr. Cohen requested the Board consider increasing his salary to be in range of other Town Managers in the area and that he was not exceeding the percentage of an increase other employees in Town were receiving. Chairman Eliopoulos thanked Mr. Cohen and stated that the contract negotiations would be discussed at the next Executive Session.

Other Business

Selectman Dalton had concerns with the legal counsel on the Hillside Gardens project. Mr. Cohen reported that negotiations were still continuing and the ZBA was holding public hearings on the project.

Adjournment

Motion: Selectman Jeannotte made a motion to adjourn at 9:13pm. Selectman Wojtas seconded the motion. Motion carried.

Respectfully submitted,

Patrice Garvin

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA
July 21, 2008

Town Offices
50 Billerica Rd.

7:00 p.m. Call to Order

Public Service Announcements

-

Open Session

-

Scheduled Business

7:30 p.m. Chief James Murphy – Code Red Emergency Notification System

7:40 p.m. Chief James Murphy – K-9 Andy , Memorial Account

7:45 p.m. Elks – Change of Manager

7:50 p.m. John Sousa – MWPAT Loan

8:00 p.m. Aggregate Industries – Continued until 8/11/08
Public Hearing - Above Ground Storage License

Town Manager Reports
- Verizon / FIOS, Cable contract

BOS Meeting Minutes

- BOS Regular Meeting Minutes June 2, 2008
- BOS Executive Session Minutes June 2, 2008

Unscheduled Business

- 61A Notice – Graniteville Road
- North Chelmsford Water Environmental Notification

Selectman Referrals

*** **This meeting is televised.** ***

Press Questions

Executive Session

Next Regular Meeting: August 11, 2008

APPROVED 9/8/08

Town of Chelmsford
Board of Selectmen Minutes
50 Billerica Rd.
Chelmsford, Ma 01824

July 21, 2008

Attending:
Phillip M. Eliopoulos, Chairman
Clare Jeannotte, Vice Chair
Patricia Wojtas, Selectmen Clerk
Eric Dahlberg, Selectman
William F. Dalton, Selectman

Paul Cohen, Town Manager

7:00PM
Chairman Eliopoulos called the meeting to order.

Public Service Announcements
None.

Open Session
No one came forward at this time.

Firefighter Grants: Self Contained Breathing Apparatus, Emergency Engine Striping
Chief Jack Parow announced that his department has been awarded 2 Grants, one which will give them $110,000.00 toward the purchase of upgraded SCBA units. The units are used for respiratory protection, and will include communication abilities. It will allow them to be OSHA compliant, and to provide assistance to the EPA if needed. The cost to the department will be $11,000.00.

The second grant will give them $21,000.00 toward the purchase of reflective rear striping of 6 engines and 1 ladder truck, with an amber light for each. The cost to the department will be $2,100.00. This should make the vehicles more visible when they are on public roads, and at incident scenes.

> **Motion:** Selectman Jeannotte made a motion to accept Firefighter Safety Grants for the purchase of respiratory apparatus at $110,000.00 and Grant for safety striping and amber lights for $21,000.00, with costs to the Fire Dept. of $11,000.00 and $2,100.00 respectively. Seconded by Selectman Wojtas. Unanimous.

Code Red Emergency Notification System
Chief James Murphy announced that effective July 1, 2008, the CodeRed high speed notification system came online. In the event of an emergency, the system can make up to 2,000 calls per minute. Residents and businesses are encouraged to visit the link on the Town of Chelmsford's website to verify their contact phone numbers for receiving messages. Forms are available at the police department and the town clerk's office for those without internet access. He emphasized this system would only be used for public safety issues such as hazardous material spills, AMBER alerts, weather or water district emergencies, road closings, etc. The system can be

customized to include certain affected neighborhoods, and can distinguish between residences and businesses. The department is charged a flat fee for a designated number of minutes, which should allow them to make up to 6-8 30 second messages per year. The website link is secure, there are currently 13,000 numbers on their server, which have come from public sources, so verification is encouraged for maximum effectiveness.

K-9 Andy Memorial Account
On July 20, 2008, Andy, the Police Department's canine, had to be put down due to a terminal intestinal infection. The community has been very supportive in wanting to do something to acquire a new dog. In response, a fund has been set up where people can send donations, which will be held in a separate account. Donations can be made out to Chelmsford Police Department, 2 Olde North Rd, Chelmsford, Ma 01824. Selectman Jeannotte asked how the dog was used, and was told he was trained in tracking missing people and drug detection. Andy was successfully used to find missing children, Alzheimer's patients, burglary suspects and narcotics. He was a popular, friendly dog, and will be missed by many.

Elks-Change of Manager
James Spiller, 96 Meadowbrook Rd., announced he will be the new manager of the Elks.

> **Motion**: Selectman Jeannotte made a motion to approve the appointment of Mr. James Spiller as the new manager of the Elks, to replace Pam Shea, pending CORI results and TIPS certification. Seconded by Selectman Wojtas. Unanimous.

MWPAT Loan
Mr. John Sousa requested approval of funding for the next phase of the sewer project, the Robin Hill area, which is scheduled for construction from August to December, 2008. It was noted that $4,707,976.00 was financed in December, 2007. This loan will be for $2,938,008.00. Financing will be in the form of a 20 year permanent Bond. Selectman Jeannotte asked if this would be the last of the financing requests, and was told there were other phases that will require financing.

Motion by Selectmen Jeannotte to grant Bonds with the following conditions:

1) That the Town shall issue a bond or bonds in an aggregate principal amount not to exceed $7,645,984.00 (the "Bonds") pursuant to Chapter 29C and 44 of the General Laws and votes of the Town passed October 18, 2004 (Article 11) and June 12, 2008 (Article 1), for the construction of sewers and other water pollution control facilities (the "Project");

2) That in anticipation of the issuance of the Bonds the Treasurer is authorized to issue an interim loan note or notes (the "Notes") from time to time in an aggregate principal amount not to exceed $7,645,984.00;

3) That each Bond or Note shall be issued as a single registered security, and sold to the Massachusetts Water Pollution Abatement Trust (the "Trust") at a price determined pursuant to the Loan Agreement;

4) That the Treasurer is authorized to determine the date, the form, the maximum interest rate and the principal maturities of each Bond and Note, and to execute a loan Agreement (or Agreements) with the Trust with respect to the sale of the Bonds and Notes, such date, form and maturities and the specific interest rate or rates of the

Bonds and Notes to be approved by the majority of the Board of Selectmen and the Treasurer and evidence by their execution of the Bonds or Notes;

5) That all action taken to date by the Town and its officers and agents to carry out the Project and its financing, including the execution of any loan commitment or agreement by the Treasurer, are hereby ratified, approved and confirmed; and

6) That the Treasurer and other appropriate Town officials are each hereby authorized to take any and all actions necessary and convenient to carry out the provisions of this vote, including execution and delivery of the Loan Agreement(s) and the Project Regulatory Agreement(s) relating to the Project.

Motion seconded by Selectman Wojtas. Unanimous.

Aggregate Industries

The Board suggested a continuance of this hearing, as they are in the process of having a follow up meeting with the EPA regarding air quality issues.

Motion: Selectman Jeannotte made a motion to continue the Public Hearing for the Aggregate Industries application to August 11, 2008. Seconded by SelectmanWojtas. Unanimous.

Town Manager Reports

End of the year reports: Mr. Cohen announced his appreciation to Police Chief Murphy for overseeing the Tow Contract. In summary, there were 631 tows, generating $41,015.00 in revenue.

Mr. Cohen reviewed the State to approve the Red Light Camera Legislation. In summary, a camera is placed at dangerous intersections, and takes a picture of the license plate after a vehicle has run a red light. The fine is $25.00 for running the red light. Currently, Drum Hill circle would be considered for installation of the cameras.

Concerts at the Big Kahuna have been cancelled due to noise complaints. The scheduled fundraisers will go on, the management of the establishment is aware of the complaints.

Verizon/FIOS Cable Contract

Verizon is in the process of applying for cable licensing and FIOS for the Town of Chelmsford. The company will be competing with Comcast, and has agreed to service the entire town. Mr. Cohen is requesting the Board to authorize him to send a letter to the State, notifying the Cable Commission to allow the license, and to waive the 60 day notification limit. The current Comcast license approved in 2006 has language allowing for a level playing field in the event a competitor wished to service the area. Verizon will meet the Comcast license agreements, except it will not install an information network (I-net). Mr. Cohen requested that Atty. Peter Epstein be retained as outside counsel, as he worked with the Town on reviewing the Comcast license, and is familiar with these contracts and negotiations. He would like this process completed by the fall. The Board noted the industry is encouraging bundling of services which is not mandated by the Town license. Utilizing the services of Atty. Epstein is a practical, common sense approach. Mr. Cohen stated Verizon will offer the same number of access channels and video streaming capabilities. Towns using more than one cable service provider is becoming more common.

Motion: Selectman Jeannotte made a motion to allow Mr. Cohen to send authorization letter on behalf of Verizon's license application, and to appoint Atty. Peter Epstein as special counsel to oversee contract negotiations. Seconded by Selectman Wojtas. Unanimous.

St. Vartanantz-One Day Beer and Wine License

A one day liquor license request was received by the Armenian Church of St. Vartanantz for their parish picnic on August 10, 2008, from 12-6PM.

Motion: Selectman Jeannotte made a motion to approve the one day license for St. Vartanantz Armenian Church on August 8, 2008, from 12PM-6PM. Seconded by Selectman Wojtas. Unanimous.

BOS Meeting Minutes

The minutes from June 2 will be held, and discussed at the next meeting, pending questions.

61A Notice – 66 Graniteville Rd.

Mr. Cohen and Selectman Eliopoulos announced the Town has first right of refusal for purchasing the property at 66 Graniteville Rd., which is currently for sale. The owners have an offer of $925,000 for the property. The Town has 90 days from June 27, 2008 to exercise this right. All Town Boards have been notified, and a site walk is being scheduled. The potential buyer wishes to raze all buildings on the lot, and put in 5 house lots. The Town needs to consider potential restricted and unrestricted land uses to determine if the price is worth retaining the 6.1 acre property. The CPC is interested in retaining the barn only. Assessors are reviewing their records to determine the roll-back taxes due from the current owners if the Town does not purchase the lot. This location is across the street from 2 schools, which may provide some use to them. If the decision is made to purchase the land, the Town has 90 days to complete the sale.

North Chelmsford Water Environmental Notification

A formal notice has been filed by the North Chelmsford Water District to begin construction of a 2.3 million gallon water treatment facility at their Bomil well site, off Richardson Rd, in Chelmsford. They are waiting to hear back from the appropriate State agencies.

Selectmen Referrals

Selectman Dahlberg:

Wished to thank everyone involved for making the July 4th Parade a success.

He announced the Lowell Governor's Cabinet is meeting on July 22, 2008. Mr. Cohen added that he was invited to be on the panel for this meeting.

A School Committee workshop is being held, date unknown.

Selectman Jeannotte:

She acknowledged the July 4th Parade was terrific.

She is a member of the MMA Labor and Personnel Committee which revises policies on labor and personnel. They are looking at how they will address healthcare policy, employment and retirement benefits and binding arbitration when lobbying on Beacon Hill.

She is liaison to the Town's Personnel Board. The review of the Personnel Manual is almost done, at which time they will present it to the Board. Selectman Jeannotte noted that the Personnel Board has conducted extensive discussions regarding changes to the Town's Paid time off policy.

Selectman Wojtas:

The Coalition for Affordable Housing has a meeting this Friday.

A representative from the New Hampshire Rail Authority will attend the next Board meeting scheduled for August 11, 2008 to discuss progress made on plans to extend the Commuter Rail to Nashua, Manchester, and Concord, NH.

Selectman Dalton:

No referrals.

Selectman Eliopoulos:

Would like to have a work session in August to discuss the Lewis Farm and Duncklee properties' uses.

He would like to discuss his goals for the year in the Board's August meeting.

Press Questions

No one came forward at this time.

Adjournment

Motion: Selectman Jeannotte made a motion at 8:15PM to adjourn into Executive Session to discuss acquisition of real property, bargaining for non-union personnel, and status of current litigation.

Roll Call Vote:

Selectman Dalton–aye;
Selectman Wojtas–aye;
Selectman Jeannotte–aye;
Selectman Dahlberg –aye;
Chairman Eliopoulos-aye

Next Regular Meeting: August 11, 2008

Respectfully Submitted,

Vivian Merrill
Recording Secretary

APPROVED AND
RELEASED 9/8/08

TOWN OF CHELMSFORD
BOARD OF SELECTMEN MINUTES – Executive Session
Monday, July 21, 2008
Town Offices
50 Billerica Rd, Chelmsford

Attending:
Philip M. Eliopoulos, Selectman Chairman
Clare Jeannotte, Selectman Vice Chairman
Patricia Wojtas, Selectman Clerk
William Dalton, Selectman
Eric R. Dahlberg, Selectman
Paul Cohen, Town Manager

8:20pm
Chairman Eliopoulos called the meeting to order.

Litigation:
Mr. Cohen advised the Board on notice received for a hearing related to retiree health insurance contributions. Three retiree groups (School Teachers, School Administrators, and AFSCME, representing the Town clerical employees) have filed a claim of unfair labor practice for requiring retirees to pay 40% of their health insurance premiums, while active employees pay only 25%., based upon a memorandum from July 2004. Counsel will need to respond within 15 days. Chairman Eliopoulos asked Mr. Cohen to schedule Town Counsel to attend the next Board work session, to provide a further explanation of the litigation, and its ramifications.

Real Property:
Mr. Cohen updated the Board on possible uses for 61A property at 66 Graniteville Road. It was decided to conduct a site walk of the property in early August before taking any further action.

Negotiation with non-union personnel:
The Board discussed Mr. Cohen's compensation. He is requesting an increase in his annual salary to $135,000, and an increase in his vehicle allowance to $600 monthly. The request is based on a percentage consistent with other non-union personnel. No other provisions of the current contract, which expires June 30, 2010, would change. Mr. Cohen had also provided the Board with survey information of other Town Managers' compensation. It was noted that automobile expenses have risen significantly in the past two years.

After discussion, Mr. Cohen agreed to a compromise salary adjustment and automobile allowance.

Motion: Selectman Jeannotte made a motion to increase the Town Manager's annual salary to $135,900, and increase his monthly automobile allowance to $500, effective July 1, 2008. Selectman Wojtas seconded the motion.

Selectman Wojtas	Aye
Selectman Jeannotte	Aye
Selectman Dalton	Aye
Selectman Dahlberg	Aye
Chairman Eliopoulos	Aye

Adjournment:

Motion: Selectman Jeannotte made a motion to adjourn Executive Session at 9:30pm. Selectman Wojtas seconded the motion.

Selectman Wojtas	Aye
Selectman Jeannotte	Aye
Selectman Dalton	Aye
Selectman Dahlberg	Aye
Chairman Eliopoulos	Aye

Respectfully submitted,

Pat Wojtas, Clerk of the Board of Selectmen

TOWN OF CHELMSFORD
BOARD OF SELECTMEN MINUTES
Wednesday, August 6, 2008
Town Offices
50 Billerica Rd, Chelmsford

APPROVED 10/27/08

Attending:
Philip Eliopoulos, Selectman Chairman
Clare Jeannotte, Selectman Vice Chairman
Patricia Wojtas, Selectman Clerk
William Dalton, Selectman
Eric Dahlberg, Selectman
Paul Cohen, Town Manager
Evan Belansky, Community Development Director

7:00pm
Chairman Eliopoulos called to order the meeting, jointly with the Planning Board. Planning Board members present were: Chairman Pam Armstrong, Sue Carter, Robert Joyce, George Zaharoolis, James Lane, and Alternate member Colleen Stansfield.

Master Plan:
Mr. Belansky reviewed the history of Chelmsford's Master Plan, which was last updated in 1996. He noted that, although there is no specific requirement, Master Plans are typically updated every five to ten years. He also referenced the Commonwealth Capital Program, through which communities apply for competitive State grants and loans. This program rates each community on many factors, including the comprehensiveness of its Master Plan. He also reminded the Boards that Chelmsford's Affordable Housing Master Plan expires in July of 2010, and will need to be revised and updated before that time.

Mr. Belansky noted that municipal committee reports are available that address certain sections of the Master Plan, including Open Space and Recreation, and Economic Development. Given the fact that the Town is under fiscal constraints at this time, Mr. Belansky suggested that the entire Master Plan did not need to be updated at this time.

Chairman Eliopoulos suggested that separate committees could be created to evaluate and address each section of the Master plan, followed by a consolidation of those efforts.

Ms. Carter suggested that Traffic Mitigation funds, collected by the Planning Board, could be used to fund the portion of the Master Plan related to Traffic and Circulation.

Mr. Cohen noted that some chapters of the 1996 Master Plan have not experienced significant change. He concurred with Chairman Eliopoulos that committees could review each chapter and report necessary changes.

Mr. Zaharoolis asked how the various updates would be consolidated, and how areas of need would be identified. Mr. Cohen stated that there are insufficient resources to complete the updates internally, and that a facilitator, as well as outside legal resources

would be required. A facilitator would be used to reach consensus and resolve conflicts between the committees that are formed. It was suggested that a steering committee could oversee the entire Master Plan update.

Ms. Carter stated that local consultants should be used for any activities that require consultant services. Mr. Cohen agreed, noting that NMCOG resources are available, particularly for the Transportation section. He also identified funding sources, such as Community Preservation and Economic Development funds, in addition to previously mentioned Traffic Mitigation funds. He suggested targeting the Labor Day time frame for launching the project.

Chairman Eliopoulos stated that an RFP is needed to define the requirements for consultant(s), as well as a Road Map for the entire project. Selectman Jeannotte stated that a complete Project Plan is needed before beginning the project. It was noted that utilizing NMCOG would not necessitate issuance of an RPF, as it is exempt from Chapter 30B requirements.

66 Graniteville Road:

Ms. Carter stated her belief that the property is part of the subdivision approved by the Planning Board, called Graniteville Farms, and therefore is not further subdividable. Mr. Cohen said that the matter has been referred to Town Counsel for review.

Billboards:

Chairman Eliopoulos asked if the Planning Board subcommittee, which is evaluating a possible bylaw for the construction of billboards in Chelmsford, would be ready with a recommendation by October Town Meeting. Mr. Zaharoolis answered that they will not be ready. Mr. Cohen stated that a primary concern when drafting the bylaw will be how to limit the number of billboards that could be constructed.

Mr. Zaharoolis listed the remaining tasks that must be completed before submitting a potential bylaw, including the submission of questions to Town Counsel, meeting with a consultant, drafting the bylaw, and presenting it to the full Planning Board and Board of Selectmen, as well conducting public hearings as required. He estimated the tasks should be completed, and a bylaw prepared, in time for submission to Spring Town Meeting.

Adjournment (joint meeting):

> **Motion:** Selectman Jeannotte made a motion to adjourn the joint meeting at 9:15pm. Mr. Joyce seconded the motion. Motion carried, 11-0.

Continuation of Board of Selectmen meeting

Town Manager Reports:

Mr. Cohen reported that he had been notified that the SBA reimbursement for the first component of the high school/middle school upgrades would be discussed at the meeting of the awarding committee on Friday, August 8. He indicated that it was expected that the town would be reimbursed for 56.31% of the approximate $18 million cost. He expected more details after the Friday meeting.

Mr. Cohen reported that a company has expressed interest in relocating approximately 300 jobs to a facility on Apollo Drive. Negotiations are continuing for a TIF agreement.

Aggregate Industries:

Mr. Cohen and Chairman Eliopoulos discussed their meeting with DEP regarding Aggregate Industries. It was reported that Aggregate uses state-of-the-art silos, and that the technology used to capture particulate matter generated from the burning of all types of fuel, including spec oil, meets standards currently in place. Representatives at DEP suggested that requirements for filters for vehicles using the Aggregate facility would help alleviate the pollution produced at the site.

Chairman Eliopoulos asked the Town Manager to request a vehicle list from Aggregate. Selectman Jeannotte asked that a report for truck traffic in and out of the facility be provided.

Adjournment:

> **Motion:** Selectman Jeannotte made a motion to adjourn 9:55pm. Selectman Wojtas seconded the motion. Motion carried, 5-0.

Respectfully submitted,

Pat Wojtas, Clerk of the Board of Selectman

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA
August 11, 2008

Town Offices
50 Billerica Rd.

7:00 p.m. Call to Order

Public Service Announcements

- **Firefighters Local 1839 Toll Booth Drive**

Open Session

Scheduled Business

7:30 p.m. Steve Williams – Nashua Commuter Rail Update

7:45 p.m. Jim Pearson – Public Hearing, Pole Petition - Burning Tree Lane

7:50 p.m. Jessie's Place – Common Victualer License

7:55 p.m. Carvel / Cinnabon – Change of Ownership

8:00 p.m. Aggregate Industries – Continuation of Public Hearing, Above Ground Storage License

Town Manager Reports

- Fall Annual Town Meeting Warrant
- Vacancy Commission on Disabilities
- Vacancy Council on Aging
- Vacancy Zoning Board of Appeals
- Sewer Commissioner Resignation – George Abley Jr.
- 61A Release Robin Hill Road

Town Manager Bid Awards

- Fire Department - Pumping Engine
- Fire Department - Rescue Truck

BOS Meeting Minutes

- BOS Regular Meeting Minutes May 19, 2008
- BOS Regular Meeting Minutes June 2, 2008
- BOS Executive Session Minutes June 2, 2008
- BOS Regular Meeting Minutes June 16, 2008
- BOS Executive Session Minutes June 16, 2008

*** **This meeting is televised.** ***

Unscheduled Business

- BOS Goals
- Master Plan
- Vote to post Warrant for September 16 State Primary
- BOS Meeting Dates

Selectman Referrals

Press Questions

Executive Session

-

Next Regular Meeting: August 25, 2008

APPROVED AS
AMENDED 10/27/2008

TOWN OF CHELMSFORD
BOARD OF SELECTMEN MINUTES
Monday, August 11, 2008
50 Billerica Rd, Chelmsford

Attending:
Philip M. Eliopoulos, Chairman
Clare Jeannotte, Vice Chair
Patricia Wojtas, Selectman Clerk
Eric Dahlberg, Selectman
William F. Dalton, Selectman

Paul Cohen, Town Manager

Chairman Eliopoulos called the meeting to order at 7:05 p.m.

Public Service Announcements:
Robert Gardner, firefighter, requested permission to do a yearly fundraiser for the Muscular Dystrophy Association. Firefighters ask drivers to contribute to a boot in Chelmsford Center and Vinal Square. Beth Ortins gave a brief history of the relationship Chelmsford has had with the MDA.

> **Motion:** Selectman Jeannotte made a motion to support and endorse the 20th year MDA fundraiser through the Chelmsford Fire Department on August 14TH, 15th, 21st and 22nd from 4pm-8pm. Selectman Wojtas seconded the motion. Motion carried.

Open Session:
Douglas Hausler, on behalf of 139 Robin Hill Rd LLC, requested a partial 61A release. Mr. Haulser asked the town to clear the title of the land of Parcel A & B. Mr. Hausler stated that the Town of Chelmsford currently has the right for first refusal for these parcels.

> **Motion:** Selectman Jeannotte made a motion to waive the right of first refusal for Robin Hill Road, Lots A & B, shown on the recorded Plan Book 223, Plan 33 dated 12-21-06. Selectman Wojtas seconded the motion. Motion carried.

Town Manager Bid Awards:
Pumping Engine- Mr. Cohen stated that Rosenbauer was the lowest bidder but asked the Board to reject the bid due to past experience with the company. The Deputy Fire Chief addressed the Board and commented on problems in the past with Rosenbauer. The Deputy Chief stated that there is a question on service capability and checked with other towns for references. The Deputy Chief stated that they have used SMEAL in the past and recommended the bid be awarded to them.

Motion: Selectman Jeannotte made a motion to support the Town Manager's recommendation for purchasing a Pumping Engine to SMEAL fire apparatus for $302,429.00 after deductions, noting reasons it was not awarded to the lowest bidder (past service and maintenance issues). Selectman Wojtas seconded the motion. Motion carried.

Rescue Truck- Mr. Cohen asked the Board to reject the Rosenbauer bid for reasons previously stated concerning their level of service.

Motion: Selectman Jeannotte made a motion to approve the bid award for a Fire Department Rescue Truck to Super Vacuum MFG for $244,989.00 after deductions, noting reasons why it is not awarded to the lowest bidder (past experience with electrical problems and body rot). Selectman Wojtas seconded the motion. Motion carried.

Steve Williams-New Hampshire Commuter Rail Update:

Steve Williams, Executive Director of Nashua Regional Planning Commission, stated that he has been working on the rail extension project. Mr. Williams explained that the rail may be extended to Concord, NH. The project has the support of the New Hampshire legislature and the governor. Mr. Williams stated that the cost of the rail was estimated at $10 million per year. Mr. Williams added that a financial plan needed to be created. Mr. Williams stated that the rail could be up and running in about two years if the money was in place.

Mr. Cohen asked how the rail project might impact the I-93-widening project. Mr. Williams stated that it all depended on costs of the projects. Mr. Thomas Moran, Precinct 3, stated that the town would benefit from the project if there were a North Chelmsford Station. Mr. Moran was involved in the original planning of the extension of the rail. Mr. Moran talked about the opportunity for Chelmsford.

Jan Spence, Williamsburg Resident, was not in full support of the extension and stated that there were residences that would be affected by the noise and safety of fast moving trains. Ms. Spence thought that the extension would impact negatively on the Town. Ms. Spence asked if there were any meetings on the rail that the residents be kept informed.

Public Hearing, Pole Petition, Burning Tree Lane:

Kathy Frazier, representing Verizon, requested the placement of a utility pole on Burning Tree Lane. Chairman Eliopoulos asked if there was anyone to speak for or against the petition.

Motion: Selectman Jeannotte made a motion to close the public hearing. Selectman Wojtas seconded the motion. Motion carried.

Motion: Selectman Jeannotte made a motion to approve the pole placement as requested in plan 34 dated 6-30-08 at Burning Tree Lane; per revision 7-29-08. Selectman Wojtas seconded the motion. Motion carried.

Chairman Eliopoulos asked Ms. Frazier about the status of double poles in Chelmsford. She noted that the most recent double pole report lists a total of 105 instances in Chelmsford.

Jessie's Place-Common Victualer License:

Jessie Kelley requested a Common Victualer License for her new restaurant. Selectman Dalton asked about parking for the establishment. Parking would be across the street in the municipal lot. Mr. Cohen noted that the Planning Board did not need a site plan approval.

Motion: Selectman Jeannotte made a motion to approve a Common Victualer License for Jessie's Place, 14 Central Square with seating of 56; hours of operation Weekdays 6am-1am and Sundays 6am -12am. An Entertainment license was also approved with conditions stated on the application. Selectman Wojtas seconded the motion. Motion carried.

Carvel/Cinnabon, Change of Ownership:

Jim and Jean Morse requested a change of ownership to AJ Sweets LLC.

Motion: Selectman Jeannotte made a motion to approve a Common Victualer License to AJ Sweets d/b/a Carvel/Cinnabon on Drum Hill Rd.; hours of operation weekdays 5:30am-10:30pm and Sundays 6:30am-7:30pm subject to a food service permit and sign off from the Board of Health. Selectman Wojtas seconded the motion. Motion carried.

Aggregate Industries-Continuation of Public Hearing, Above Ground Storage Tank:

Aggregate Indutries was represented by Jeff Ciampa, Tim Jones, Joe Landry and Mr. Bailey, Corporate Counsel. Mr. Ciampa stated that this was Aggregate's fourth time before the Board of Selectmen. The purpose of their presence was to discuss environmental concerns on-site.

Selectman Dahlberg asked how many trucks go back and forth through the site. Mr. Ciampa stated that daily, for July 2008, there are approximately 133 trucks bringing material in and 167 taking material out. Selectman Jeannotte asked if this truck information was available and could be given to the Board. Mr. Ciampa stated that he could get the Board truck transportation numbers from 2004. Mr. Ciampa stated that the average truck carried 24 tons of material. Selectman Jeannotte asked what the expectation of truck traffic would be with newer tanks. Mr. Ciampa stated that truck

traffic would be neutral, meaning no increase or decrease. Mr. Ciampa stated that the advantage would be no idling trucks waiting for their materials. Selectman Jeannotte asked if Aggregate has ever reached its production capacity limit. Mr. Ciampa replied that in 2004 the site reached 800,000 tons. Selectman Jeannotte asked that if the permit was turned down could the plant still reach 900,000 ton capacity. Mr. Ciampa replied that the market determines the production. New technology is available now which have favorable production criteria.

Selectman Dalton asked about the production of the plant when a truck is waiting. Mr. Ciampa explained that depending on what is needed – a highway job versus a driveway – the trucks could wait for three hours for a special mix. Selectman Dalton expressed concern by the residents who see new tanks, that Aggregate could increase production, causing more truck traffic, and pollutants. Mr. Ciampa stated that there would be no increase in truck volume and no increase in output at the plant. Mr. Ciampa stated that there were no plans to increase production. Mr. Ciampa added that storage does not have an impact on production.

Chairman Eliopoulos asked about the increase in hours request to the DEP. Mr. Ciampa stated that there was confusion with the permit and that Aggregate was only asking the state for clarification. Selectman Jeannotte asked about the increase in hours. Mr. Ciampa stated that intent was 8 hours not 10. Selectman Wojtas asked about the number of trucks per hour into the site. Mr. Ciampa stated that, on average, 60 trucks per hour enter the site. Selectman Wojtas asked about the number of trucks waiting. Mr. Ciampa stated that 35-40 trucks can be waiting. Mr. Ciampa added that some trucks are on-site and none parked on Route 110. Selectman Dalton asked if the new permit would impact the line-up. Mr. Ciampa said the new storage would allow getting the trucks in and out more quickly.

Selectman Dalton asked about the recent article in the paper showing soot on cars. Mr. Ciampa replied he did not see the picture and could not comment. Selectman Dalton asked about dealings with the Army Corps of Engineers. Mr. Ciampa stated that the company deals with the EPA and that periodic testing was done. Chairman Eliopoulos asked about idling trucks. Mr. Ciampa stated that they are asked to shut down if they idle for over 15 minutes. Mr. Ciampa added that trucks are required to be covered when driving and Aggregate does not allow trucks off the site if they are not tarped.

Selectman Dalton asked about the smoke stack and what was coming out. Mr. Ciampa stated that the stack emits steam. Mr. Cohen asked about what municipalities do to put projects out to bid and noted that contracts go to the lowest bidder. Mr. Cohen stated that a more efficient plant would be cost effective. Mr. Cohen concluded that with increased ability to lower costs it could in turn receive more municipal awards because they would be the lowest bidder. Mr. Cohen added that the Board sees a possible increase in production. Mr. Ciampa stated that the new technology is something all like-businesses are trying to do, making it a level playing field. Selectman Dalton asked about truck emissions. Mr. Ciampa stated that the Board needed to take the area into account and the proximity to the highway.

Selectman Jeannotte stated that Richard Day of the Board of Health was asked to come in and address the Board. Selectman Jeannotte first read an email from a resident concerning their continued complaints regarding Aggregate and its emissions. Mr. Day stated that the state's Department of Public Health maintains statistics that allows it to evaluate health impacts based specific criteria. Mr. Day added that there were a number of factors that are considered when looking into health concerns and will take all data into account. Mr. Day commented on the proximity to Route 495 and the time of year – both have an impact on the data. Mr. Day stated that there were no direct costs to collect the health data. Chairman Eliopoulos stated that residents have concerns with cancer. Mr. Day noted that there are many variables. Selectman Jeannotte asked if the BOH has received calls regarding Aggregate. Mr. Day stated that 2-3 calls a year have come into the BOH.

Chairman Eliopoulos asked if having the air stack tested was a good idea. Mr. Day stated that it was a gray area because you are dealing with small particles. Selectman Jeannotte asked what the soot was. Mr. Ciampa stated that he could not identify what the paper was showing. Selectman Dalton asked what the water suppression system was. Mr. Ciampa stated that the dust was controlled by the system on site. Chairman Eliopoulos asked if there was recent testing done on the stack and would like testing redone. Selectman Dalton stated that the Board's first responsibility was to the residents.

Public Input:

1. Bob Joyce was surprised the fire chief gave his approval on the permit. Mr. Joyce wanted to see a design that would contain any spills that could occur. Selectman Dalton stated that the chief was concerned with the condition of the tanks. Mr. Joyce stated his concern of traffic and filtering of the stack.
2. Connie Latham asked when the #2 oil was being burned and if there has been any soil testing. Ms. Latham asked about the zoning of the site. Chairman Eliopoulos explained the grandfathering rule when zoning.
3. Matthew Hanson, Wedgewood Drive, asked about the rezoning and if the state would give the permit. Mr. Hanson stated that evidence indicates that the plan will increase production.
4. Linda Fall stated that she has left a letter with the Board and has grave concerns with the company.
5. Tom Fall, Town Meeting Representative, stated that he saw trucks idling for over 12 minutes and do not shut off.
6. Jim Pinder, Robin Hill Road, stated that small particles go into the lungs accumulating year after year. Mr. Pinder stated that the traffic would not be volume neutral and recommended using only natural gas.
7. Rachel Harvey, Mobile Home Park, has taken pictures of the smoke stacks and showed her pictures to the Board. Ms. Harvey stated that it was not steam and the odor was horrible.
8. Peggy Dunn, 2 Bridge Street, sent an email to the Board and commented on the soot. Ms. Dunn stated that she followed a truck from Aggregate that was emitting black smoke and dust clouds are frequently seen.

9. Norma King, Mobile Home Park, asked about the tank storage and the impact on the conservation land. Chairman Eliopoulos stated that the new tanks would not go beyond its current footprint and that the Conservation Commission approved it. Ms. King was concerned with run off and where it goes.
10. Christine McNamara commented on the smell in the areas and asked if the DPW, which is in the area, could give some input.
11. John Wojcik, Littleton Road, has seen 35 trucks backed up and what if fire trucks needed to get around them in an emergency. Selectman Dalton stated the fire trucks would get around them.
12. Leo Manning, Higate Road, had the following comments/questions:
    - Has Chelmsford used Aggregate? Mr. Cohen replied that the Town has used Aggregate.
    - Stated 40,000 trucks per year and that toxic solvents were used at the plant.
    - What is the idling law? Chairman Eliopoulos stated there is a state idling law.
    - Byam is close to site and the autism rates may be impacted by exposure of the plant.
    - The DEP restricts what a plant uses to protect people and the Board has the power to deny the permit.
    - Has seen trucks with no tarps
    - Stack emissions are not just steam, so what is it?
    - The materials not seen are more harmful than soot.
    - He has attempted to contact Dr. Wu at BOH for health impacts.
    - Request that the stack emissions be tested.

13. Robert Andrews, Tadmuck Road, asked about possible traffic routes to help solve the truck issue.

Mr. Ciampa stated that the soil has been tested and the plant needs more tank capacity. Mr. Ciampa added that #2 oil is identical to heating oil. Trees were not cut in the area. The fire department has access to the site. Mr. Ciampa stated trucks do not go through the center of town at night.

Chairman Eliopoulos noted that additional testing and other information has been requested of Aggregate; therefore the public hearing should remain open until that information is entered into the public record.

Motion: Selectman Jeannotte made a motion to continue the public hearing until August 25th at 8:00PM. Selectman Wojtas seconded the motion. Motion carried.

Town Manager Reports:

1. Mr. Cohen stated that the School reimbursement from MSBA for the first segment of the school building project will be $8,739,542. He has not been notified as to the timing for receipt of those funds.

2. Mr. Cohen stated that committee vacancies were listed on the Town website. Selectman Jeannotte asked if descriptions could be placed there as well.
3. Mr. Cohen stated that he shared the proposed Verizon cable contract with counsel.
4. Mr. Cohen commented that Lowell City Council meetings would be on the local cable channel.
5. Mr. Cohen reported the need for the Board to post the Election Warrant.

Motion: Selectman Jeannotte made a motion to post the September 16, 2008 Election Warrant. Selectman Wojtas seconded the motion. Motion carried.

Selectman Referrals:

Selectman Dahlberg reported on the recent meeting of the governor and several cabinet secretaries in Lowell.

Selectman Wojtas had no referrals.

Selectman Dalton asked about the Big Kahuna. Mr. Cohen stated that he was awaiting a legal update.

Selectman Jeannotte had no referrals.

Chairman Eliopoulos had no referrals.

Motion: Selectman Jeannotte made a motion to adjourn at **10:55pm**. Selectman Wojtas seconded the motion. Meeting adjourned

Respectfully submitted,

Patrice Garvin

CHELMSFORD BOARD OF SELECTMEN
WORK SESSION AGENDA
August 14, 2008

Town Offices
50 Billerica Rd.

5:30 p.m. Call to Order

Executive Session

1) **Litigation Matters**
   - **Brian Maser re: Retiree Health Insurance Contribution Rates**
   - **Town Acceptance Section 18 MGL Chapter 32B**
   - **Jeffrey Blake & David Hedison re: Orchard Woods**

2) **Strategy for Negotiations for joining the GIC**

Unscheduled Business
Proposed Meeting Dates:
September 8
September 22
October 6
October 20
October 27
November 10
November 24
December 8
December 22

Next Regular Meeting: August 25, 2008

***** This meeting is televised. *****

APPROVED 10/27/2008

TOWN OF CHELMSFORD
BOARD OF SELECTMEN MINUTES- Work Session
Monday, August 14, 2008
50 Billerica Rd, Chelmsford

Attending:
Philip M. Eliopoulos, Chairman
Clare Jeannotte, Vice Chair
Patricia Wojtas, Selectman Clerk
Eric Dahlberg, Selectman
William F. Dalton, Selectman
Paul Cohen, Town Manager

Note: These minutes reflect discussion that occurred after the completion of the Executive Session on this date.

Liaison Appointments:
Selectman Wojtas was appointed liaison to the Historical Commission and Selectman Jeannotte was appointed liaison to the Bicycle and Pedestrian Advisory Committee.

Dispatchers Union:
Mr. Cohen notified the Board that the Dispatchers wanted to be removed from the Clerical union, and create their separate negotiating entity.

Meeting Schedule:
The Board discussed the month of September's meeting schedule. The Board agreed to meet on September 8th and 29th. Aggregate's public hearing will be placed on the August 29th meeting. Chairman Eliopoulos stated that all results should be gathered before Aggregate's public hearing is closed. Chairman Eliopoulos stated that counsel should be asked if information could be gathered outside of the public hearing. The Board agreed to meet on September 18th for a work session.

Senior Program Work Guidelines:
Mr. Cohen stated that this could be discussed on August 29th.

Motion: Selectman Jeannotte made a motion to adjourn at **8:45pm**. Selectman Wojtas seconded the motion. Meeting adjourned

Respectfully submitted,

Patrice Garvin

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA
August 25, 2008

Town Offices
50 Billerica Rd.

7:00 p.m. Call to Order

Public Service Announcements

- **Senior Center Month**
- **Skip's Recognition**

Open Session

-

Scheduled Business

7:30 p.m. St. Vartanantz - One Day All Alcohol License, Sept. 27, 2008

7:35 p.m. Kell's Kitch – Common Victualer License

8:00 p.m. Aggregate Industries- Open Public Hearing for the sole purpose of Continuing Public Hearing until 9/29/08

Town Manager Reports

- Senior Center Property Tax Work Program Guidelines
- Town Meeting Warrant

BOS Meeting Minutes

- BOS Regular Meeting Minutes May 19, 2008
- BOS Regular Meeting Minutes June 2, 2008
- BOS Executive Session Minutes June 2, 2008
- BOS Regular Meeting Minutes June 16, 2008
- BOS Executive Session Minutes June 16, 2008
- BOS Work Session Minutes June 23, 2008
- BOS Regular Meeting Minutes June 26, 2008
- BOS Regular Meeting Minutes June 30, 2008
- BOS Executive Session Minutes June 30, 2008
- BOS Work Session Minutes July 15, 2008
- BOS Regular Meeting Minutes July 21, 2008
- BOS Executive Session Minutes July 21, 2008

***** This meeting is televised. *****

Unscheduled Business

- BOS Goals

Selectman Referrals

Press Questions

Executive Session

Next Regular Meeting: September 8, 2008

APPROVED 10/27/2008

TOWN OF CHELMSFORD
BOARD OF SELECTMEN MINUTES
Monday, August 25, 2008
50 Billerica Rd, Chelmsford

Attending:
Philip M. Eliopoulos, Chairman
Clare Jeannotte, Vice Chair
Patricia Wojtas, Selectman Clerk
Eric Dahlberg, Selectman
Paul Cohen, Town Manager

Absent: William F. Dalton, Selectman

Chairman Eliopoulos called the meeting to order at 7:00PM.

Public Service Announcements:

1. Selectman Jeannotte read a proclamation to designate September 2008 as Senior Center Month. Diana Ryder, Director of the Senior Center, listed the activities for the week of September 8 at the Senior Center.
2. Selectman Jeannotte read a proclamation giving tribute to Skip's Restaurant and the Gefteas and Burliss Families.

Open Session:

1. Mr. Karthik Natarajan, 7 Bel Air Drive, wanted to inform the Board of his recent interaction with the Community Ed. Office in Town. Mr. Natarajan stated that he wanted to have an annual charity event on one of the athletic fields in Chelmsford. Mr. Natarajan was told that the fields were all booked up for the days requested. Mr. Natarajan stated that on the days of the events, ne noticed that the fields were completely empty. Mr. Natarajan stated the event was held in Billerica and the proceeds from the event went to the Billerica Schools. Mr. Natarajan wanted the Board to look into why he was told the fields were closed and why he was denied a permit. Chairman Eliopoulos stated that he would follow up with the school department to find an answer.

Town Manager Reports:

1. Mr. Cohen reported on the Senior Work Program in Town and that the program gives elderly residents relief on their property tax. Mr. Cohen gave the Board a history of the legislation and noted that the Town has placed a cap of $20,000 annually on the program. Mr. Cohen was looking to increase the cap to allow more residents to take advantage of the program. Mr. Cohen reported that 100 people were interested in the program this year and proposed a Town Meeting

vote to increase the cap to $75,000. Selectman Jeannotte asked if this item could be placed on the work session agenda later in the month.

2. Mr. Cohen reviewed the warrant for Town Meeting. Mr. Cohen commented on the need for an additional $21,000 for a student going out of district. Mr. Cohen said that he was working with the finance director and the DOR on the debt exclusion. Selectman Jeannotte asked for a report on debt exclusion. Mr. Cohen explained paying off the Town notes and would provide a report when he had the final numbers. Mr. Cohen stated that Article 8 was a placeholder. Article 10 was to amend the bylaws on the utility surcharge for funding the underground utility project, and that the article was being drafted by counsel. Mr. Cohen reported that Article 11 was a zoning request by the Planning Board. Mr. Cohen stated that counsel would review Article 13, which modifies the Historic Commission's demolition delay bylaw. Mr. Cohen discussed Article 15, which addresses the requirement for minimum years of service for civil service for promotions in the Fire Department. Mr. Cohen noted that several senior officers in the fire department are nearing retirement, and this change will insure that those being promoted have significant experience on the job. Mr. Cohen stated that Articles 16, 17, and 18 were citizen petition articles. Mr. Cohen stated that Article 16 for tax classification was not binding. Mr. Cohen stated that counsel was looking at the other petitioner articles.

St. Vartanantz, One-Day All Alcohol License:

Motion: Selectman Jeannotte made a motion to approve a One-Day all alcohol Liquor license to St. Vartanantz Church, 180 Old Westford Road for September 27, 2008 for the annual scholarship event with 250 attendees, from 6:00pm to 12:00am. Selectman Wojtas seconded the motion. Motion carried.

Kell's Kitchen, Common Victualer License:

Laura Kell, 164 Main St. Westford, requested a Common Victualer License to operate within the same facility as Carven Catering.

Motion: Selectman Jeannotte made a motion to approve a CVL to Laura Kell, for Kell's Kitchen located at 61 Central Square, Unit 7; hours of operation Monday through Friday 6:00am-2:00pm, no Sunday hours; no seating required; subject to a food service permit. Selectman Wojtas seconded the motion. Motion carried.

Town Manager Reports *Continued..*:

3. Mr. Cohen reported that the bike path was progressing and on schedule for completion next year.
4. Mr. Cohen reported that the building on 2 Meadowbrook Rd was demolished and there is interest in using the site as a residential property.

5. Mr. Cohen reported the final date to register to vote in the primary.
6. Mr. Cohen reported the contract for tipping fees for solid waste disposal will be part of a regional consortium. Mr. Cohen will provide more details to the Board at the end of the month. Mr. Cohen stated that it was also a good idea to look at natural gas prices for the next three years.
7. Mr. Cohen noted school is opening next week and updated the Board of traffic due to school buses on the roads.

Aggregate Industries; Continue the Public Hearing:

Motion: Selectman Jeannotte made a motion to continue the Aggregate public hearing until September 29, 2008 at 8:00pm. Selectman Wojtas seconded the motion. Motion carried.

Chairman Eliopoulos explained that the Board was still collecting input and was working with counsel, BOH and the DEP.

Approval of Minutes:

Motion: Selectman Jeannotte made a motion to approve the May 1 minutes. Amended-Page 3 should read 2008 Budget Update. Selectman Wojtas seconded the motion. Motion carried.

Motion: Selectman Jeannotte made a motion to approve the June 2, 2008 regular session minutes. Selectman Wojtas seconded the motion. Motion carried.

Motion: Selectman Jeannotte made a motion to approve but not release the June 2, 2008 Executive Session Minutes. Selectman Wojtas seconded the motion. Motion carried.

Motion: Selectman Jeannotte made a motion to approve the June 16 regular session minutes. Amended: Page 3. Insert Jim Pinder as speaker number 8, missing. Page 3 under motion put the continuation of the public meeting until June 30th at 8:45 p.m. Page 4 under minutes change date to April 14th not 4th. And second part of motion not regular minutes but Executive Session minutes. Selectman Wojtas seconded the motion. Motion carried.

Motion: Selectman Jeannotte made a motion to approve but not release Executive Session minutes for June 16, 2008. Selectman Wojtas seconded the motion. Motion carried.

Motion: Selectman Jeannotte made a motion to approve the work session minutes of June 23, 2008. Selectman Wojtas seconded the motion. Motion carried.

Motion: Selectman Jeannotte made a motion to approve the regular session minutes of June 26, 2008. Amended: age 1 under Hall Street should read "two years after resurfacing" Selectman Eliopoulos seconded the motion. Motion carried with1 abstention-Selectman Wojtas.

The Board tabled the approval of additional minutes until the next Board meeting.

Selectmen Referrals:

Selectman Dahlberg made the following referral(s):

1. Selectman Dahlberg asked for an update on the work in the center. Mr. Cohen stated that work was progressing and that the travel lanes will be reconfigured within a few weeks. Mr. Cohen commented on the tree removal, which was necessary to complete the construction. Mr. Cohen stated that he met with representatives from CVS and Stop and Shop to discuss possible options for those buildings. Mr. Cohen would update the Board as more information becomes available.

Selectman Jeannotte made the following referral(s):

1. Selectman Jeannotte asked about when the Board would hear the fiscal year update for FY08. Mr. Cohen stated that the auditors were working and he hoped to have the report by the next Board meeting.
2. Selectman Jeannotte asked about the Permanent Building Committee. Mr. Cohen stated that he was trying to get a committee together.
3. Selectman Jeannotte asked about scheduling for a public input forum. Mr. Cohen noted that it has been tentatively scheduled for October 8.
4. Selectman Jeannotte wanted to revisit the vehicle fleet and wanted to discuss it at the next work session. Mr. Cohen stated that he was reviewing the list and would have a report for the Board.

Selectman Wojtas made the following referral(s):

1. Selectman Wojtas commented on the recent 4-H fair.
2. Selectman Wojtas reported that a representative from Community Teamwork Inc. of Lowell will make a brief presentation at the next Board meeting. Among her topics will be heating fuel assistance and foreclosure prevention programs.

Chairman Eliopoulos made the following referral(s):

1. Chairman Eliopoulos asked to have the Board goals on the work session agenda.

Adjournment:

Motion: Selectman Jeannotte made a motion to adjourn into Executive Session at 8:30pm to discuss land acquisition and collective bargaining. Selectman Wojtas seconded the motion.

Roll Call-
Selectman Wojtas-aye
Selectman Jeannotte-aye
Selectman Dahlberg-aye
Chairman Eliopoulos-aye

Respectfully submitted,

Patrice Garvin

Approved as amended 10/27/2008
Released 10/27/2008

TOWN OF CHELMSFORD
BOARD OF SELECTMEN MINUTES-Executive Session
Monday, August 25, 2008
50 Billerica Rd, Chelmsford

Attending:
Philip M. Eliopoulos, Chairman
Clare Jeannotte, Vice Chair
Patricia Wojtas, Selectman Clerk
Eric Dahlberg, Selectman
Paul Cohen, Town Manager

Absent: William F. Dalton, Selectman

Land Acquisition:
Chairman Eliopoulos stated that the Board needed to approve a letter to Mr. Shanahan about subdividing land. Mr. Cohen stated that counsel drafted the letter.

> **Motion:** Selectman Jeannotte made a motion to authorize the Chairman to send a letter as drafted to Mr. Shanahan regarding 66 Graniteville Road indicating the inability for him to subdivide this land. Selectman Wojtas seconded the motion.
> Roll Call-
> Selectman Wojtas-aye
> Selectman Jeannotte-aye
> Selectman Dahlberg-aye
> Chairman Eliopoulos-aye

Collective Bargaining:
Mr. Cohen stated that there had been no progress with negotiations for joining GIC. Mr. Cohen stated that the unions were asking for more in savings if it agrees to join GIC. The Board discussed possible percentage splits between what the Town would save and the employees would save. Mr. Cohen stated that for each 1% shift in Town vs. employee contribution, the affect is $90,000.

Mr. Cohen stated that he does not see the employee unions agreeing to join the GIC this year. Mr. Cohen stated that the employees are nervous about joining GIC and felt it was safer to not participate. Mr. Cohen added that the Town needed the teachers union to approve joining the GIC so the other unions would follow along. Chairman Eliopoulos suggested going public if the unions don't join the GIC to show the Town's willingness to save.

Adjournment:

Motion: Selectman Jeannotte made a motion to adjourn at 9:15pm. Selectman Wojtas seconded the motion.
Roll Call-
Selectman Wojtas-aye
Selectman Jeannotte-aye
Selectman Dahlberg-aye
Chairman Eliopoulos-aye

Respectfully submitted,

Patrice Garvin

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA
September 8, 2008

Town Offices
50 Billerica Rd.

7:00 p.m. Call to Order

Public Service Announcements

- **The Paul Center**
- **Chelmsford Women of Today**

Open Session

-

Scheduled Business

7:30 p.m. CTI regarding fuel assistance and mortgage foreclosure assistance programs

Town Manager Reports

- Housing Production Plan – Notice of Pending Expiration
- L-1 Solutions proposed TIF Agreement

Town Manager Appointments

- Commission on Disabilities
- Council on Aging
- Permanent Building Committee

BOS Meeting Minutes

- BOS Regular Meeting Minutes June 30, 2008
- BOS Executive Session Minutes June 30, 2008
- BOS Work Session Minutes July 15, 2008
- BOS Regular Meeting Minutes July 21, 2008
- BOS Executive Session Minutes July 21, 2008

Unscheduled Business

- Sign Fall Annual Town Meeting Warrant
- Discussion of Public Input Session
- Finalize Agenda for September 18 Work Session

***** This meeting is televised. *****

Selectman Referrals

Press Questions

Executive Session

Next Regular Meeting: September 29, 2008

APPROVED 10/27/2008

TOWN OF CHELMSFORD
BOARD OF SELECTMEN MINUTES
Monday, September 8, 2008
50 Billerica Rd, Chelmsford

Attending:
Philip M. Eliopoulos, Selectman Chairman
Patricia Wojtas, Selectman Clerk
Eric Dahlberg, Selectman
William F. Dalton, Selectman
Paul Cohen, Town Manager

Absent: Clare Jeannotte, Selectman Vice Chairman

7:00pm
Chairman Eliopoulos called the meeting to order.

Public Service Announcements:

1. Selectman Wojtas read a proclamation designating September 21st through September 27th as Chelmsford's Women of Today Week. Kathy Simmons, president of the Chelmsford branch, listed some activities of the organization in Town. Ms. Simmons noted that new members are being recruited, and gave contact information.
2. Selectman Wojtas read a proclamation honoring the work of the Paul Center. The proclamation gave tribute to the forty years the organization has been providing services to the Town. Selectmen Wojtas noted that she, along with Selectmen Dahlberg and Jeannotte attended an event celebrating the fortieth anniversary of the Paul Center.

Open Session:

1. Mr. Karthik Natarajan, 7 Bel Air Drive, wanted to update the Board on why he did not get field use permission from Community Education. Mr. Natarajan explained that he spoke with Dr. Yeoman, superintendent of schools. Mr. Natarajan was told that past experience showed that some sports damaged the fields, and that the fields needed rest in between use. Mr. Natarajan commented on the use of sticks on the field when playing Cricket. Mr. Natarajan assured the Board that this was not the case and sticks do not make holes in the field. Dr. Yeoman informed him that staff was told to avoid conflict by telling people the fields were booked. Mr. Natarajan thanked the Board for their time. Chairman Eliopoulos stated that the school committee was in charge of the fields and the selectmen had no say on who used the fields. Selectman Dahlberg as concerned that it looked like public employees may have been lying to residents.

Community Teamwork, Inc.:

Karen Frederick, Executive Director of Community Teamwork, Inc., explained the fuel assistance program. The program is set up to help households with heating costs. She noted that there has been an increase in the number of Chelmsford residents in need of this type of program. Ms. Frederick also discussed the foreclosure assistance programs that are available. Susan Brittain thanked the Board for their time and explained that record numbers will be without heat this winter. Ms. Brittain stated that the program looks at ways to help conserve heat, including installation of new windows, etc. Ms. Frederick stated that private funding is welcomed.

Town Manager Reports:

1. Mr. Cohen noted that Town's Affordable Housing Production Plan will expire in July 2010. He reported that work is beginning on updating the overall Master Plan, and that updating the affordable housing plan will be included as one component of that effort.
2. Mr. Cohen notified the Board of a potential 40B project by Hancock Associates on 291-297 Boston Road. The plan shows 36 Townhouse units. Mr. Cohen stated that as more information comes in he would inform the Board.
3. Mr. Cohen reported that there was interest by L-1 Solutions, a security solutions company, to occupy space at 250 Apollo Drive. Mr. Cohen stated that it is a vacant building and the company would put 6 million dollars in improvements into the building. Mr. Cohen is negotiating a TIF agreement with the company.
4. Mr. Cohen reported that the decision on the old cinema property was received, and that the decision affirmed the approvals granted by the Planning Board. Mr. Cohen was hopeful that litigation on this matter was ending.
5. Mr. Cohen reported on Salt bids for the Town. Mr. Cohen noted that as part of the regional consortium the Town was going out to bid with other Towns for the best price. Mr. Cohen reported that Salt was very high and this year's lowest bid was $64.50 per ton. Mr. Cohen stated that two years ago it was $42.15 per ton. Mr. Cohen requested that the Board approve the bid.

   Motion: Selectman Wojtas made a motion to approve the Salt bid to Eastern Mineral, Inc. located in Chelsea, MA at $64.50 per ton. Selectman Dalton seconded the motion. Motion carried, 4-0.

6. Mr. Cohen reported that the Rail Trail is moving forward.
7. Mr. Cohen reminded the community of the state primary on Tuesday, September 16th.

Town Manager Appointments:

Motion: Selectman Wojtas made a motion to approve the appointment of Denise Marcaurelle for a three year term to the Council on Aging. Selectman Dalton seconded the motion. Motion carried, 4-0.

Motion: Selectman Wojtas made a motion to approve the appointment of Sandra Karp for a one year term to the Disabilities Commission. Selectman Dalton seconded the motion. Motion carried, 4-0.

Motion: Selectman Wojtas made a motion to approve the following to three year terms to the Permanent Building Committee: Pat Maloney, Dave Duane, and Joseph Greene; and Christina Papadopoulos, Douglas Wright and Eric Johnson to two year terms. Selectman Dalton seconded the motion. Motion carried, 4-0.

Approval of Minutes:

Motion: Selectman Wojtas made a motion to approve the June 30, 2008 regular meeting minutes, as amended: Under Town Manager Review, Selectman Dahlberg wanted it reflected that he made positive comments on working with the Town Manager for a brief period. Selectman Dalton seconded the motion. Motion carried, 4-0.

Motion: Selectman Wojtas made a motion to approve and release the June 30, 2008 Executive Session minutes. Selectman Dalton seconded the motion. Motion carried, 4-0.

Motion: Selectman Wojtas made a motion to approve the July 15, 2008 work session minutes. Selectman Dalton seconded the motion. Motion carried, 4-0.

Motion: Selectman Wojtas made a motion to approve the July 21, 2008 regular meeting minutes. Selectman Dalton seconded the motion. Motion carried, 4-0.

Motion: Selectman Wojtas made a motion to approve and release the July 21, 2008 Executive Session minutes. Selectman Dalton seconded the motion. Motion carried, 4-0.

Town Meeting Warrant:

Motion: Selectman Wojtas made a motion to approve the posting of the Town Meeting Warrant for Monday, October 20, 2008 at the Senior Center. Selectman Dalton seconded the motion. Motion carried, 4-0.

Public Input Session:
Chairman Eliopoulos stated that a public input session would be held on October 8th at the Senior Center to hear concerns from residents. He encouraged the press representatives in attendance to publicize this event.

September 18th Work Session:
Chairman Eliopoulos stated that the Board goals should be discussed. Aggregate would also be a topic of discussion to determine which documentation and supporting materials would go into the final record. The Policy sub-committee would provide an update at the meeting.

Selectman Referrals:
Selectman Dalton made the following referral(s):

1. Selectman Dalton commented on the recent ZBA meeting and the approval of Hillside Gardens.

Selectman Wojtas made the following referral(s):

1. Selectman Wojtas noted the upcoming book sale sponsored by the Friends of the Library on September 26-28.
2. Selectman Wojtas reported that the annual Farm Fair will be held at the Barrett-Byam Homestead on September 27, and urged all residents to attend.

Selectman Dahlberg made the following referral(s):

1. Selectman Dahlberg commented on the recent event honoring the Paul Center.

Chairman Eliopoulos made the following referral(s):

1. Chairman Eliopoulos reported that the air quality results on Aggregate Smoke stacks should be in by the next regular Board meeting. Chairman Eliopoulos stated that he was working with counsel do draft a set of conditions on Aggregate.
2. Chairman Eliopoulos commented on the use of the reverse 911 system and its success.
3. Chairman Eliopoulos noted that the Leadership Team will be meeting this week, and its agenda for the year will be discussed.

Press Questions:
Rita Savard of the Lowell Sun asked if the L-1 Solutions TIF agreement would be on the fall Town Meeting warrant. Mr. Cohen stated that it would. Ms. Savard asked for more clarification of the land court case concerning the old cinema site. Mr. Cohen stated that he would provide Ms. Savard a copy of the decision.

Adjournment:

Motion: Selectman Wojtas made a motion to adjourn to Executive Session at 8:20pm for the purposes of discussing collective bargaining and the acquisition of real property. Selectman Dalton seconded the motion.
Roll Call Vote:
Selectman Dalton-aye,

Selectman Dahlberg-aye
Selectman Wojtas-aye
Chairman Eliopoulos-aye

Respectfully submitted,

Patrice Garvin

APPROVED 10/27/2008

TOWN OF CHELMSFORD
BOARD OF SELECTMEN MINUTES
Friday, September 12, 2008
Town Offices
50 Billerica Rd, Chelmsford

Attending:
Clare Jeannotte, Selectman Vice Chairman
Patricia Wojtas, Selectman Clerk
William Dalton, Selectman
Paul Cohen, Town Manager
John Sousa, Town Treasurer

Acting Chairman Jeannotte called the meeting to order at 9:00am.

Bond Anticipation Note:
Mr. Sousa reviewed the details of Bond Anticipation Note for the school construction project.

Motion: Selectman Dalton made the following motion:

To approve the sale of a $6,399,347 at 2.50 percent General Obligation Bond Anticipation Note of the town dated September 18, 2008, and payable June 18, 2009, to Eastern Bank at par and accrued interest plus a premium of $32,732.66.

That in connection with the marketing and sale of the Note, the preparation and distribution of a Notice of Sale and Preliminary Official Statement dated September 2, 2008, and a final Official Statement dated September 10, 2008, each in such form as may be approved by the Town Treasurer, be and hereby are ratified, confirmed, approved, and adopted.

That the town Treasurer and the Board of Selectmen be, and hereby are, authorized to execute and deliver a material events disclosure undertaking in compliance with SEC Rule 15c2-12 in such form as may be approved by bond counsel to the Town, which undertaking shall be incorporated by reference in the Note for the benefit of the holders of the Note from time to time.

That each member of the Board of Selectmen, the Town Clerk and the Town Treasurer be and hereby are, authorized to take any and all such actions, and execute and deliver such certificates, receipts or other documents as may be determined by them, or any of them, to be necessary or convenient to carry into effect the provisions of the foregoing votes.

Selectman Wojtas seconded the motion. Motion carried, 3-0.

Adjournment:

Motion: Selectman Dalton made a motion to adjourn at 9:10am. Selectman Wojtas seconded the motion. Motion carried, 3-0.

Respectfully submitted,

Pat Wojtas, Clerk of the Board of Selectman

CHELMSFORD BOARD OF SELECTMEN
Work Session Agenda
September 18, 2008

Town Offices
50 Billerica Rd.

5:30 p.m. Call to Order

Scheduled Business

- BOS/TM Goals
- Town Meeting Warrant
- Aggregate Industries Materials List
- Senior Citizen Property Tax Work Program Guidelines
- Motor Vehicle Fleet
- BOS Policy Update
- Meeting Schedule
- Thanksgiving Day Breakfast

Town Manager Reports

-

Unscheduled Business

-

Executive Session

Next Regular Meeting: September 29, 2008

APPROVED 1/5/2009

TOWN OF CHELMSFORD
BOARD OF SELECTMEN MINUTES-Work Session
Thursday, September 18, 2008
50 Billerica Rd, Chelmsford

Attending:
Philip M. Eliopoulos, Selectman Chairman
Clare Jeannotte, Selectman Vice Chairman
Patricia Wojtas, Selectman Clerk
Eric Dahlberg, Selectman
William F. Dalton, Selectman

Paul Cohen, Town Manager

5:35pm
Chairman Eliopoulos called the meeting to order.

Goals:

1. Fiscal Responsibility- Mr. Cohen stated that a 5-Year Strategic Plan would be presented at Town Meeting. Mr. Cohen stated that he was in discussions with the School Department on the upcoming Collective Bargaining. Mr. Cohen stated that a joint meeting with FinCom and the School Committee would be in November. Mr. Cohen stated that the due date for a decision on GIC would be October 1st. Mr. Cohen stated that the 70% requirement was not attainable. Chairman Eliopoulos stated that the GIC should be taken to the people to hear how the Town could save. Selectman Dahlberg suggested having the Towns on GIC discussing the benefits. In terms of savings on energy, the Energy Conservation Committee is looking into prospects for generating solar energy, and townwide energy conservation measures. The committee will have a report by the end of the Year. Selectman Jeannotte asked about grant opportunities the Town could seek. Mr. Cohen stated that there are many grants that the Town is actively exploring. Selectman Dahlberg suggested finding someone with grant writing experience.

2. Community Engagement- Mr. Cohen stated that on October 8th there would be a public input session and a second one in the spring. The selectmen urged Mr. Cohen to publicize the session on all forms of media. The Board discussed the idea of volunteer appreciation and how that would work. There are people who have served the town for many years and should be recognized. Mr. Cohen stated that the concern was missing someone. Chairman Eliopoulos suggested recognizing original Town Meeting representatives next year, at the 20th anniversary of Representative Town Meeting.

3. Economic Development- Mr. Cohen stated that the Affordable Housing Master Plan and the Master Plan were ongoing. Mr. Cohen stated that Mr. Belansky would update the residents at Town Meeting. Mr. Cohen commented on the beautification efforts in Town. Mr. Cohen commented on the decision to hire or not hire a new Economic Coordinator and what should be done with the inventory

collected from the prior Coordinator. Selectman Jeannotte asked how the efforts could be measured. Mr. Cohen stated that the idea of a pamphlet on the Town with supporting material could be developed. Chairman Eliopoulos stated that more action items needed to be put under this goal in order to measure progress.

4. Capital Facilities Planning- Mr. Cohen stated that a Permanent Building Committee has been established. Mr. Cohen stated that the Fire/DPW Facilities Committee would fold into the Permanent Building Committee. A report would be given at spring Town Meeting and the Fire/DPW Facilities Committee would report out in December.

5. Legislative Outreach- Chairman Eliopoulos stated that the Board should invite local representatives to a Board meeting. Selectman Wojtas thought the representatives should come to a work session so they would be more open about issues. Selectman Jeannotte suggested inviting representatives to the upcoming public input session.

Town Warrant:

Mr. Cohen requested the Board sign the final warrant for Town Meeting. Chairman Eliopoulos stated that the CPC withdrew its open space article. Chairman Eliopoulos stated that there was another article that needed to be added regarding the Byam House.

Motion: Selectman Jeannotte made a motion to approve posting the Fall Town Meeting Warrant for October 20, 2008, contingent on adding the article regarding the historic preservation of the Barret Byam House. Selectman Wojtas seconded the motion. Motion carried.

Aggregate Industries:

Mr. Cohen referred to a 13-page document for the Board to review. Mr. Cohen stated that the document listed all materials collected to date on Aggregate. Mr. Cohen stated that the purpose of the document was to compile all exhibits for the record. Mr. Cohen stated that the Town was still awaiting a report from the Department of Public Health. Chairman Eliopoulos suggested closing the public hearing once the Board of Health and DEP responded. Chairman Eliopoulos stated that if the Board decided to approve the permit there would be conditions listed and it would be reviewed by town counsel. Selectman Jeannotte cautioned that too many conditions could end up with appeals dragging the process out. Chairman Eliopoulos suggested putting money aside for future testing of stacks.

Senior Work Program:

Mr. Cohen stated that the program was going well and that there is now a demand for increased participation in the program. Mr. Cohen explained that raising the cap would

have to be presented at Town Meeting. Mr. Cohen explained that it was a first come/first serve program. The Board suggested finding residents in the program with unique skills.

Motor Vehicle Fleet:

Mr. Cohen reported that the fleet schedule was being reviewed. Mr. Cohen stated that there is nothing out of the ordinary on the list. Mr. Cohen distributed the Fleet list. Mr. Cohen explained that the school department vehicles were maintenance vehicles. Mr. Cohen explained that police vehicles could become surplus and be used by other departments. Mr. Cohen stated that some employees take vehicles home and that it is justified with the position. Selectman Jeannotte asked if specific policies exist regarding who takes vehicles home. Mr. Cohen noted that no policy currently exists. Chairman Eliopoulos suggested developing some basic guidelines. Selectman Dalton noted that it is currently a policy to have the Town seal on all Town vehicles, unless specifically exempt, and asked the Town Manager to enforce that policy.

BOS Policy Update:

Selectman Wojtas discussed that she and Selectman Jeannotte have gone through the current policies, reviewed those of other communities, and suggested new policies that may be needed. The sub-committee identified areas of change for the policies and distributed them to the Board for review. Some of the new policies being proposed related to committee appointments, and presentation of Town Meeting warrant articles to the Board. Selectman Wojtas noted a policy for expense reimbursements to Board members. Chairman Eliopoulos thought that the way expense reports were done was fine and saw no reason to change the process.

Meeting Schedule:

The Board discussed the meeting schedule for the Board to the end of the year. The Board discussed whether they would continue the traditional Thanksgiving breakfast with Billerica officials.

Other Business:

Selectman Dalton stated that there was a drainage problem on Dalton Road.

Selectman Dalton also commented on recent reports that Homeless people were temporarily living at the Best Western, and questioned whether that was contributing to a recent increase in crime in the neighborhood. Mr. Cohen reported that after speaking to the Police Chief there was no correlation to recent crimes and people living at the Best Western. Mr. Cohen stated that he needed to find out more information and get back to the Board.

Selectman Dalton commented that his old email was listed on the web page.

Town Manager Reports:

Mr. Cohen noted that an appointment to the Board of Registrars was required.

> **Motion:** Selectman Dalton made a motion to appoint Alexander Gervais to the Board of Registrars of Voters. Selectman Jeannotte seconded the motion. Motion carried.

Mr. Cohen reported that an abutter has appealed the ZBA decision on the 40B project on Riverneck Road.

Mr. Cohen reported that the North Chelmsford Water District appeal against the Chelmsford DPW, regarding the excavate pile, has been denied.

Mr. Cohen reported that the Hillside Gardens 40B proposal will be heard at the Zoning Board of Appeals meeting next week.

Mr. Cohen reported that discussions have begun regarding redevelopment of the Tedesci's strip mall to build affordable housing, as well as maintain some retail space.

Mr. Cohen reported that the Chelmsford Housing Authority's request for mediation regarding Orchard Woods has failed and that it will go to trial.

Adjournment:

> **Motion:** Selectman Jeannotte made a motion to adjourn at 9:40pm. Selectman Dalton seconded the motion. Meeting adjourned.

Respectfully submitted,
Patrice Garvin

APPROVED 10/27/2008

TOWN OF CHELMSFORD
BOARD OF SELECTMEN MINUTES
Monday, September 22, 2008
Town Offices
50 Billerica Rd, Chelmsford

Attending:

Philip Eliopoulos, Selectman Chairman
Clare Jeannotte, Selectman Vice Chairman
Patricia Wojtas, Selectman Clerk
Paul Cohen, Town Manager
Evan Belansky, Community Development Director

Chairman Eliopoulos called the meeting to order at 7:10pm, jointly with the Planning Board and Zoning Board of Appeals. Planning Board members present were: Chairman Pamela Armstrong, George Zaharoolis, James Lane, and Richard Johnson. Zoning Board of Appeals members present were: Eileen Duffy, William Gilet, Leonard Richards, and Judith Tavano.

Sterling Brook at Chelmsford:

Ms. Armstrong recused herself from this discussion, citing a potential conflict.

A proposal to develop land at 291-297 Boston Road was discussed. This would be a 40B project, with a total of 40 new units (36 townhouse style, and 4 single family). Nine townhouses and one single family unit would be designated as affordable. It was noted that much of the area currently falls under Wetlands Protection. In addition, 297 Boston Road is under Chapter 61A, which gives the Town right of first refusal for purchase.

The proposed development would raze all existing structures for new construction. Issues raised during the discussion included the lack of visitor parking, the proposed height of the townhouse structures, the design of the units, the density of the project, and the lack of any common areas for residents.

Mr. Belansky noted that the Town has met its affordable housing quota for the current calendar year, and is applying for certification. This designation allows local boards significant discretion when considering approvals for additional 40B developments.

Mr. Belansky would be forwarding a letter with comments regarding this development to MassHousing.

Ms. Armstrong returned to the meeting.

Billboards:

Mr. Richards asked for an update regarding zoning for billboards. Mr. Zaharoolis reported that the Planning Board sub-committee is pursuing the option of creating an overlay district which includes rules for billboards, such as setbacks, lighting, etc. He noted that the committee's focus is to develop a bylaw that reduces the possibility of a challenge. They are researching the validity of setting a maximum number of billboards in the town. Mr. Zaharoolis noted that the town has no control over content on billboards which would be located on private property.

Note: At this point, the meeting continued with only the Board of Selectmen and Planning Board.

Master Plan:

Mr. Belansky presented a proposed work plan for updating the Town's Master Plan, including required tasks, and a suggested timeline.

After discussion regarding the proposal, it was decided that the Planning Board should proceed. The first action will be the appointment of a nine-member steering committee, which will be responsible for issuing RFPs, awarding contracts, creating sub-committees as needed, and generally overseeing the Master Plan update process.

Adjournment:

Motion: Selectman Jeannotte made a motion to adjourn the joint meeting at 9:30pm. Selectman Wojtas seconded the motion. Motion carried.

Respectfully submitted,

Pat Wojtas, Clerk of the Board of Selectman

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA
September 29, 2008

Town Offices
50 Billerica Rd.

7:00 p.m. Call to Order

Public Service Announcements
- **Live Smart Week Oct 12-18**
- **National United Nations Day October 24, 2008**

Open Session

Scheduled Business

7:30 p.m. Moe's Southwest Grill – Beer & Wine / Common Victualer License
7:35 p.m. Pole Petition – Main Street

7:40 p.m. Street Acceptance - Holly Drive

7:45 p.m. Matthew Cilento - Petition for Non-binding Ballot Question - Tax Classification
8:00 p.m. Aggregate Industries- Continuation of Public Hearing

Town Manager Bid Awards
- DPW One Ton Dump Truck

Town Manager Appointments
- Board of Appeals Alternate – Charlene Parlee
- Bicycle and Pedestrian Advisory Committee – Paul Therrien

Town Manager Reports
- Update on Transitional Assistance for Homeless
- New State Regulations on Road Flaggers

BOS Meeting Minutes
- BOS Regular Meeting Minutes August 6, 2008
- BOS Regular Meeting Minutes August 11, 2008
- BOS Work Session Minutes August 14, 2008
- BOS Executive Session Minutes August 14, 2008
- BOS Regular Meeting Minutes August 25, 2008
- BOS Executive Session Minutes August 25, 2008

*** **This meeting is televised.** ***

Unscheduled Business

- BOS Goals

Selectman Referrals

Press Questions

Executive Session

Next Regular Meeting: October 27, 2008

APPROVED AS
AMENDED 11/24/2008

TOWN OF CHELMSFORD
BOARD OF SELECTMEN MINUTES
Monday, September 29, 2008
50 Billerica Rd, Chelmsford

Attending:
Philip M. Eliopoulos, Chairman
Clare Jeannotte, Vice Chairman
Patricia Wojtas, Selectman Clerk
Eric Dahlberg, Selectman
William F. Dalton, Selectman

Paul Cohen, Town Manager

Chairman Eliopoulos called the meeting to order at 7:04 p.m.

Public Service Announcements:
1. Live Smart Week: Selectman Jeannotte read a proclamation designating October 12th-October 18th as Live Smart Week for social and health issues. Liz Larson, co-president of Live Smart, indicated where events would take place in town.

2. National United Nations Day: Selectman Jeannotte read a proclamation designating October 24, 2008 as United Nations Day. Chairman Eliopoulos stated that a celebration would be held on October 21st at the State House.

Open Session:
1. Kevin Ross, 70 Billerica Rd., noted some safety concerns with walkers going into Center School. Mr. Ross stated that there are no sidewalks from the street into the school, and that his children are forced to walk where cars travel. Mr. Ross requested sidewalks be placed from the road into the school and that there be no barriers to get to school through the path from Town Hall. The path way from the Town Hall is being blocked with Jersey barriers. Chairman Eliopoulos stated that the feedback would be given to the schools to look into.
2. Fran McDougall, 11 Dawn Drive, asked what the sign by-laws are for the town and how they were enforced. Ms. McDougall was concerned with political signs going up earlier than they should. Selectman Dalton stated that it was illegal to stop a resident from putting up a political sign. Chairman Eliopoulos stated that the by-law has been traditionally followed on a voluntary basis, and is an agreement that signs would only be up three weeks before and two weeks after an election. Selectman Wojtas noted that political signs can only be placed on private property, not public property. Ms. McDougall stated that many people in Town do not know the by-law.
3. John Gagnon, 14 Edgelawn, asked about the proposed water treatment facility in North Chelmsford. Mr. Gagnon stated that the residents were not being heard and have many questions. Selectman Dalton stated that the residents should call a meeting and question the water commissioners. Mr. Gagnon stated that answers change after every meeting. Mr. Gagnon stated that he and his neighbors are

concerned that the project is moving too fast and costing too much. Chairman Eliopoulos stated that if a request for information was submitted then the water district has to respond. Selectman Dahlberg suggested getting all promises in writing.

Moe's Southwest Grill-Beer & Wine CVL:

Alan Kirkpatrick and Derek Deloy, representing Moe's Southwest Grill, requested a beer and wine license and a Common Victualer License.

> **Motion:** Selectman Jeannotte made a motion to approve a CVL to Salsane, Inc. d/b/a Moe's Southwest Grill, from Mon-Thur 11am-9pm; Fri-Sat 11am-10pm; Sundays 11am-8pm, subject to the Board of Health and Building Inspector Sign-offs. Selectman Wojtas seconded the motion. Motion carried.

Chairman Eliopoulos asked if there was anyone present to speak for or against a wine and beer license.

> **Motion:** Selectman Jeannotte made a motion to continue the public hearing for Moe's Southwest Grill, in line with the BOS policy to wait two weeks prior to giving an alcohol license, until October 14th at 7:00pm. Selectman Wojtas seconded the motion. Motion carried.

Pole Petition-Main Street:

Kathy Frasier, from the Verizon office in Dracut, requested the placement of one pole on Main Street. Chairman Eliopoulos asked if there was anyone present to speak for or against the petition.

1. George Sabitino, 57 Main Street, was concerned about the location of the pole and asked if its height would impede truck access. Ms. Frasier noted that it was all standard heights and truck access was not a problem.

> **Motion:** Selectman Jeannotte made a motion to close the public hearing. Selectman Wojtas seconded the motion. Motion carried.

> **Motion:** Selectman Jeannotte made a motion to approve the placement of a pole between 57 and 61 Main Street, according to plan #35 dated August 20, 2008. Selectman Wojtas seconded the motion. Motion carried.

Ms. Frasier noted that a new listing for double poles is being produced, and would be available soon.

Street Acceptance Holly Drive:

Motion: Selectman Jeannotte made a motion to approve the street acceptance of Holly Drive. Selectman Wojtas seconded the motion. Motion carried.

Matthew Cilento-Petition for Non –Binding Ballot Question-Tax Classification:
Matthew Cilento, Rainbow Ave., read his petition and urged the Board to support his efforts to get the petition on the April 2009 ballot. Mr. Cilento explained the intent of the petition. Mr. Cilento explained that residents' taxes are increasing and the burden is on them and that businesses should absorb some of the costs. Mr. Cilento stated that the flat tax rate was not the incentive that brings businesses here but TIFs, and cited Arbor Networks as an example. Mr. Cilento stated that revenue is not generated but it may help pass an override. Mr. Cohen emphasized that the Town gets certified by the Department of Revenue, and that properties are assessed at market value. Mr. Cilento stated that the question was not binding but people should have a say. Selectman Dalton stated that he was originally for classification but changed his mind after seeing it would hurt the town. Selectman Dalton added that it is the decision made by the Board to take the politics out of it. Chairman Eliopoulos requested that the proposed ballot question be written and submitted to the Board.

Sam Chase, Chairman of the Board of Assessors stated that commercial properties were not under-assessed.

Mr. Douglas Hausler, on behalf of the CBA, submitted a statement on the petition. Mr. Hausler stated that residents vote into office those who decide the tax rate and that if residents are unhappy they should vote someone else in.

Chairman Eliopoulos stated that the tax classification hearing was on November 10th.

Aggregate Industries:
Chairman Eliopoulos provided an update as to the process thus far. Testing of the smoke stacks was done and the report was submitted to the Board. The Department of Public Health submitted a report that was just received.

Jeff Ciampa, Product Manager of Aggregate, reported on prior requests from the Board. Regarding truck traffic, a report was presented which used data provided by NMCOG. The air quality final report was submitted, and it stated that the company was in full compliance and exceeds operating requirements.

Dr. Laura Green, toxicologist retained by Aggregate, discussed the health impacts of the company's operations. Dr. Green indicated that the health data for some diseases are hard to get. Dr. Green stated that the data available for Chelmsford was not out of line with the rest of the state. Chairman Eliopoulos asked if was possible to compare areas of Town. Dr. Green stated that you could not compare areas. Dr. Green thought testing the stacks was a good idea to show the plant is operating as it should. Dr. Green added that the type of oil burned is not a factor. Carbon Dioxide levels are high when there is a lot

of incomplete combustion which leads to respiratory problems. Dr. Green noted that particulate matter emissions measured less per ton compared to other plants, which indicates good combustion. Selectman Dahlberg asked if it was inaccurate to say the output from the smoke stack is steam. Dr. Green stated that it was not incorrect and that small particles that can't be seen are in the air as well. Dr. Green stated that she spoke to area business owners to discuss the soot in the air. Dr. Green stated that the diesel emissions are a possible source of the soot and she found out what she could about the area.

Selectman Dalton asked about the truck data that Aggregate had. Mr. Ciampa gave a detailed explanation of internal truck traffic. Selectman Dalton was concerned with the trucks that were idling and that may be causing the soot. Mr. Ciampa stressed again that the time trucks would wait if granted increased capacity would decrease. Selectman Jeannotte asked if all of the trucks left the yard full. Mr. Ciampa stated that they were not all full but that 95% of the trucks that leave are fully loaded. Selectman Jeannotte stated that if production increases then the number of trucks increase. Mr. Ciampa said that the truck traffic would not be affected. Mr. Ciampa stated that now trucks wait longer for a specific mix; a new silo gets them in and out faster.

Selectman Jeannotte commented on the application with the DEP and asked Mr. Ciampa to clarify the permit. Mr. Ciampa clarified the permit and stated that they were looking to increase efficiency by increasing production to 500 tons per hour, from 360 tons per hour. If the permit is granted, Aggregate is subject to other conditions and restrictions they would need to follow.

Dr. Green discussed that finding out the source of the soot would be difficult because of the proximity to Routes 110 and 495. Selectman Jeannotte asked about the hours of operation. Mr. Ciampa stated that the police chief gives the OK to operate on Sundays. Mr. Ciampa stated that he would get the exact language for the Board on the Natural Gas requirements.

Richard Day of the Board of Health stated that he needed to go through the DPH report more thoroughly and would get back to the Board. Selectman Dalton requested getting information on schools located near the plant. Mr. Day stated that some items are not mandatorily reported to the State.

Public Input:

1. Norman King, Lot 42 Mobile Home Park, commented on the dust that blows over to his home. Selectman Dalton stated that during the site-walk dust was not seen.
2. Denise Reese, 120 Mobile Home Park, asked if trees could be planted to control the dust. Ms. Reese stated that she can feel the air and it affects her throat and the smell is a quality of life issue. Ms. Reese commented on the increase in traffic and that the plant will increase production.
3. Jim Pinder, Robin Hill Road, was at the vet near Aggregate and stated the smell was bad and that he does not believe it is just steam from the stacks. Mr. Pinder was concerned with the air quality. Mr. Ciampa assured the Board that the steam

met with the DEP standards. Mr. Pinder asked about retesting the stacks and that it should be a surprise test.

4. John Wojcik, 80 Littleton Road, asked if the town had a say in flow rates. Chairman Eliopoulos stated that the there was no approval needed. Mr. Wojcik was concerned with the applicant's request to DEP and asked for clarification on what Aggregate was asking for. Mr. Wojcik stated that there would be more traffic. Mr. Wojcik asked for clarification on the grandfathering of Aggregate.
5. Rachel Harvey, 255 Mobile Home Park, stated the long term exposure to the air will cause health issues and that the residents were being exposed to cancer causing materials. Ms. Harvey presented a picture of the stacks and claimed it was not steam.
6. Laura Andrews, Tadmuck Rd., commented on the soot, pollution and the trucks not covered and that she hears them at all hours of the night. Ms. Andrews asked whom she could complain to when it continues to happen.
7. Christine McNamara, High Street, asked how frequently the filters were changed, noise restrictions and the quality of life. She asked if the emissions report was edited. Dr. Green stated that some parts of the report were edited due to computing errors that she noted. Ms. McNamara asked about a buffer around the plant. Mr. Ciampa stated that a landscaping plan was being looked at.
8. Mike Combs, 10 Fuller Road, was concerned with the quality of life issue that Aggregate has presented. Mr. Combs was concerned with the trucks idling. Chairman Eliopoulos explained that conditions would be placed on the permit as a guideline for how to operate.
9. Leo Manning, Higate Rd., had the following questions/comments:

- Reviewed the report against the permit and asked why only one stack was tested.
- Would like the report from the EPA on other Asphalt plants.
- Noted that heavy metals in waste oil can cause autism, and is therefore concerned about the plant's location relative to the Byam School.
- Asked who paid for the test.
- Generic reference to particulate matter in the test results.
- How can it be assured that the waste oil burned was not tampered with prior to the test?
- Asked about different mix types and their pollutants.
- What is done with the filter contents?
- Did the testers look at other facilities?
- Who filled out the report?
- What happened to the particulate matter from baghouse?
- Are solvent wastes logged? If so, what are those amounts/types?
- What does town have the ability to restrict?

Motion: Selectman Jeannotte made a motion to continue the Aggregate public hearing until October 27th at 8pm. Selectman Wojtas seconded the motion. Motion carried.

Town Manager Bid Awards:

DPW One-ton dump truck: Mr. Cohen stated that three proposals were received. Selectman Jeannotte asked if the truck was a replacement or a new vehicle. Mr. Cohen noted that the DPW is retiring a one-ton dump truck.

Motion: Selectman Jeannotte made a motion to approve the Town Manager's bid award for a one-ton dump truck, to Stoneham Ford for $48,396. Selectman Wojtas seconded the motion. Motion carried.

Town Manager Appointments:

1. Board of Appeals Alternate-

   Motion: Selectman Jeannotte made a motion to approve the Town Manager's appointment of Charlene Parlee as an alternate ZBA member for a one-year term. Selectman Wojtas seconded the motion. Motion carried.

2. Bicycle and Pedestrian Advisory Committee-

   Motion: Selectman Jeannotte made a motion to approve the Town Manager's appointment of Paul Therrien to the Bicycle and Pedestrian Advisory Committee, for a one-year term. Selectman Wojtas seconded the motion. Motion carried.

Town Manager Reports:

1. Mr. Cohen reported that he spoke to Dr. Yeoman about Transitional Assistance for the Homeless families who have been temporarily relocated to Chelmsford. Mr. Cohen stated that there were 25 students temporarily in the schools. Money may be available from the state 'pothole fund' to help with costs.
2. Mr. Cohen reported on the recent decision to use flaggers on construction details. Mr. Cohen reported that the new rules only apply for projects on state roads. Changes to local rules would require impact bargaining with the police unions.
3. Mr. Cohen reported that an appeal was filed for the Cinema site and would keep the Board updated.
4. Mr. Cohen reported that the price for Natural Gas has been locked in at a price of $12.56 per DTH, which will carry through June 2011.
5. Mr. Cohen reported that bids for providing electricity would be reviewed the next day, and he was hoping to sign a five-year contract.
6. Mr. Cohen reported on the collaborative effort for solid waste disposal. He was expecting to sign a five-year contract with Covanta Energy.
7. Mr. Cohen reported that budget notices went out and that all departments are due by the end of October. Mr. Cohen reported that there would be a joint meeting in November.
8. Mr. Cohen stated that the Town was seeking a moratorium on 40B projects, based on new applications this year.

9. Mr. Cohen reported that a home rule petition to address a local affordable housing project has been passed by the legislature.
10. Mr. Cohen reported that Ruth Luna resigned from the Conservation Commission.
11. Mr. Cohen reported on interest by Habitat for Humanity in the Meadowbrook Rd site.
12. Mr. Cohen reported that the rail trial was moving forward, with the binder coat expected to be completed before the end of the construction season.
13. Mr. Cohen reported that the golf course was maintained in good condition this playing season.

Mr. Cohen stated that a motion was needed for a one day beer and wine license.

> **Motion:** Selectman Jeannotte made a motion to approve a one-day beer and wine license to the Rotary Club for date and hours set forth in the application. Selectman Wojtas seconded the motion. Motion carried.

Selectman Referrals:

Selectman Jeannotte made the following referral(s):

1. The Personnel Board will be holding meetings to present proposed changes for a Paid Time Off program for non-union employees, including a presentation at the next Board work session.
2. Chelmsford Telemedia is broadcasting a show highlighting local Hidden Treasures, which was produced by the Land Stewards.

Selectman Dahlberg made the following referral(s):

1. Tewksbury residents are sending a letter opposing the power plant in Billerica and asked for support from Chelmsford.

Selectman Dalton made the following referral(s):

1. Asked about placing signs at school crossing locations to warn drivers of students in the area.

Selectman Wojtas and Chairman Eliopoulos made no referrals.

Adjournment:

> **Motion:** Selectman Jeannotte made a motion to adjourn at 11:30pm. Selectman Wojtas seconded the motion. Motion carried.

Respectfully submitted,

Patrice Garvin

APPROVED 1/5/2009

TOWN OF CHELMSFORD
BOARD OF SELECTMEN MINUTES - Public Input Session
Wednesday, October 8, 2008
Senior Center
75 North Road
North Chelmsford, MA

Attending:
Philip M. Eliopoulos, Selectman Chairman
Clare Jeannotte, Selectman Vice Chairman
Patricia Wojtas, Selectman Clerk
Eric Dahlberg, Selectman
William F. Dalton, Selectman
Paul Cohen, Town Manager

Also Attending: State Senator Susan Fargo; State Representative Cory Atkins

7:05pm
Chairman Eliopoulos called the meeting to order.

1. Paul Rigazio, 25 Clover Hill Dr., a 24 year resident, asked what the Board was doing in regards to the fracturing of Chelmsford into four legislative districts. Mr. Rigazio stated that candidates do not campaign in Town and has spoken with Sam Poulten on the matter. Mr. Rigazio asked what needed to be done to pressure the legislature. Selectman Dalton expressed concern over the issue and stated that the community needed to get together so there is one voice. Senator Fargo stated that she is against what was done and clarified the difference between the districting in the House and Senate.
2. Tom Christiano, Town Meeting Representative, stated that there were candidates in town during the campaign and that the Town's representatives were trying to voice the concerns of the Town in the state house.
3. Elaine McDonald, 15 Reid Road, thanked the Board for the forum and asked the Board to look at long term solutions, which she listed. Ms. McDonald suggested placing agendas on-line with more detail of what happened at the meetings; to listen to each other and not to think of answers while the person is talking; to give back trust to the residents. Ms. McDonald told about her experience on the Solid Waste and Recycling Committee and how much she learned. Ms. McDonald urged the Board to keep Chelmsford the best place to live.
4. Tom Moran, 19 Dennison Rd., thanked the Board for the forum and wanted the Town to work towards joining the GIC. Mr. Moran stated that the threshold of 70% of the unions, along with other legislative conditions makes it hard to get Towns onto the GIC. Mr. Moran asked the Board to start to push the legislature on the parameters of the GIC. Chairman Eliopoulos stated that the Town could save money if employees were on the GIC, but the Town's offer was rejected by the unions. Mr. Cohen added that the savings from going on the GIC would roll back into services for the Town. Mr. Cohen stated that budget trouble was state-wide and was disappointed with the bargaining outcome with the unions on GIC.

Mr. Moran stated that the problem needed to be addressed at the Statehouse. Representative Atkins agreed that the bargaining is difficult due to the terms of GIC. Senator Fargo stated that the 70% threshold should be eliminated.

5. Linda Fall, Precinct 7 Town Meeting Representative, thanked the Board for their effort and asked them to look into the autism rate at the Byam School, and how it may be affected by Aggregate Industries.
6. Peggy Dunn, 2 Bridge Street, asked if there were any amenities planned for the rail trail in the center, i.e. benches. Mr. Cohen stated that there was a uniformity committee formed by the state. Mr. Cohen added that there was a Chelmsford committee devoted to the trail. Ms. Dunn asked if there was a way to give input at all in the rail trail. Mr. Cohen stated that he would update the Town as things change.
7. Laurie Kelly, N. Chelmsford asked about the recent activity of the North Chelmsford Water District. Ms. Kelly stated that a bond was approved without residents voting on it. Mr. Cohen stated that the water districts were separate entities. Chairman Eliopoulos stated that residents had options.
8. Joanne Knight, 288 Boston Road, asked if there was any way for the Town to help seniors with taxes. Mr. Cohen explained the Senior Work Program and that it would be requested at Town meeting for raising of the cap on that program. Senator Fargo, a co-author of the Senior circuit-breaker tax credit program, stated that the program benefited Chelmsford senior residents. Chairman Eliopoulos suggested using seniors in a wide variety of town departments. Representative Atkins commented on the School Building Committee and how Chelmsford's experience is being used as a model for other Towns.
9. Dave Ford, Sherman Street, voted no on the override and was worried about young families and activity fees. Mr. Ford stated that Chelmsford was a great Town but tied down by unions. Mr. Ford asked about the co-pay change for employees. Mr. Cohen explained the proposed change to the GIC. Mr. Ford asked the Board to keep Chelmsford a good Town.
10. Frederick Zaher, spoke on property valuations and why some valuations have not gone up. Mr. Zaher stated that departments should tighten up. Mr. Cohen explained the DOR process for property valuations and how taxes are calculated. Mr. Cohen added that the tax rate and where Chelmsford fell in line with other communities has remained consistent over the years.
11. Tom Fall, Precinct 7 Town Meeting Representative, asked about signage and crosswalks on Pilgrim Road and throughout Town now that more children are walking to school.
12. Mike Koziel, Lovett Lane, asked about Town green initiatives. Mr. Cohen stated that the Town was committed to green energy and the Town was looking at alternate sources for energy. Mr. Cohen talked about recycling efforts in Town. Mr. Koziel was concerned with illegal dumping of leaves.
13. Rick Mahoney, 64 Prescott Drive, asked about plans for Vinal Square since the bridge is ready to reopen.
14. Ralph Hickey, Precinct 1 Town Meeting Representative, was looking for a positive attitude and noted that the Town was doing well considering what it has.

15. Beth Koziel asked about the work in the center and if it would be ripped up again to bury the utilities. Mr. Cohen stated that there was a problem with Verizon and its funds to bury utilities. Mr. Cohen was hoping to suspend the surcharge from National Grid. Mr. Cohen stated that he needed to address the needs of the community and not wait too long for a project still in question.
16. Brad Rigby, Chestnut Hill Road, thanked the Board for the forum but thought the Town needed to improve communication with residents.
17. Steve Flynn, Precinct 3, asked if a letter was sent to town meeting representatives on the forum. Chairman Eliopoulos stated that the Board tried to get the word out. He also reminded the audience of the sewer betterment credit available when filing State income tax.
18. Elizabeth Martin, 50 Graniteville Road, stated that there has been an increase of tractor trailers down her street. Chairman Eliopoulos stated that he would speak to the police.
19. Matt Hanson wished more representatives came and wanted more participation.
20. Beth Koziel asked if the water department had the same health benefits as the Town. Mr. Cohen stated that it is offered to them, however, they are responsible for all costs associated with being on the Town's program.

Selectman Jeannotte reminded the residents that the Chelmsford League of Women Voters will be hosting a debate on October 16 at the Police Station.

Mr. Cohen noted that Fall Town Meeting will be convening on October 20.

Motion: Selectman Jeannotte made a motion to adjourn at 9:15pm. Selectman Wojtas seconded the motion. Motion passed.

Respectfully submitted,

Patrice Garvin

CHELMSFORD BOARD OF SELECTMEN
WORK SESSION AGENDA
October 14, 2008

Town Offices
50 Billerica Rd.

5:30 p.m. Call to Order

Scheduled Business

5:30 p.m. Joint w/ Sewer Commission to fill Sewer Commission Vacancy *Tab 1*

7:00 p.m. Moe's Southwest Grill – Beer & Wine / Common Victualer License *Tab 2*

7:01 p.m. Joint w/ Personnel Board *Tab 3*

7:30 p.m. Joint w/ Finance Committee, John Sousa, Darlene Lussier *Tab 4*

Town Manager Bid Awards *Tab 5*

- Solid Waste Disposal
- Lease of Space – Sewer Division

Unscheduled Business *Tab 6*

- Budget discussion in the event of mid-year cuts in state aid
- Recommendations on Town Meeting Warrant Articles
- BOS Goals as update at previous work session

Selectman Referrals

Press Questions

Next Regular Meeting: October 27, 2008

***** This meeting is not televised. *****

APPROVED 11/10/08

TOWN OF CHELMSFORD
BOARD OF SELECTMEN MINUTES – Work Session
Tuesday, October 14, 2008
Town Offices
50 Billerica Rd, Chelmsford

Attending:
Philip Eliopoulos, Selectman Chairman
Clare Jeannotte, Selectman Vice Chairman
Patricia Wojtas, Selectman Clerk
William Dalton, Selectman
Eric Dahlberg, Selectman
Paul Cohen, Town Manager

5:35pm
Chairman Eliopoulos called to order the meeting, jointly with the Sewer Commission. Sewer Commission members present: Chairman Barry Balan, Richard Day, Jeffrey Miller, and John Souza.

Sewer Commission appointment:
Mr. Balan nominated George Dixon to fill the vacant Sewer Commission seat until the next Town Election. Selectman Dalton seconded the nomination.

> **Motion:** Selectman Jeannotte made a motion to close nominations. Selectman Wojtas seconded the motion. The motion carried, 9-0.

Chairman Eliopoulos polled the members of the boards:
Mr. Balan: George Dixon
Mr. Day: George Dixon
Mr. Souza: George Dixon
Mr. Miller: George Dixon
Selectman Dalton: George Dixon
Selectman Wojtas: George Dixon
Selectman Jeannotte: George Dixon
Selectman Dahlberg: George Dixon
Chairman Eliopoulos: George Dixon

Adjournment (joint meeting):

> **Motion:** Mr. Balan made a motion to adjourn the joint meeting at 5:45pm. Mr. Souza seconded the motion. Motion carried, 9-0

The Board of Selectmen continued their meeting.

St. John's Beer & Wine license:

Motion: Selectman Jeannotte made a motion to approve a one-day beer & wine license for St. John the Evangelist Church for Sunday, October 26, 2008, from 1:00pm to 4:00pm. Selectman Wojtas seconded the motion. Motion carried, 5-0.

Town Manager Bid Awards:

Mr. Cohen explained the process for soliciting bids for solid waste disposal, noting that thirteen communities have formed a consortium in an attempt to leverage a more favorable contract with the potential vendor. Two vendors submitted proposals to the consortium. Covanta Energy submitted the lowest bid. Upon negotiation with Covanta, they agreed to a slightly lower price than that originally submitted.

Mr. Cohen reported on the need for additional space for the Sewer Department, in order that their operations could be all at one location, with sufficient storage for all vehicles, etc. He noted that there was only one response to the RFP that was issued, and described the proposal received from Loop Real Estate for leasing space on Kidder Road.

It was decided to withhold voting on both bid awards until the next televised Board meeting on October 27.

Town Meeting Warrant:

Motion: Selectman Jeannotte made a motion to recommend approval of Articles 3, 4, 5, and 6 on the Fall Town Meeting warrant. Selectman Wojtas seconded the motion. Motion carried, 5-0.

Motion: Selectman Jeannotte made a motion to recommend approval of Articles 10, 11, 12, and 13 on the Fall Town Meeting warrant. Selectman Wojtas seconded the motion. Motion carried, 5-0.

Motion: Selectman Jeannotte made a motion to recommend approval of Articles 15 and 16 on the Fall Town Meeting warrant. Selectman Wojtas seconded the motion. Motion carried, 5-0.

Mr. Cohen reported that Town Counsel has stated that articles 17 and 18 do not fall under the authority of Town Meeting, and are therefore invalid.

Legislative Redistricting

Chairman Eliopoulos noted that several residents at the recent Public Input session had mentioned the need to aggressively pursue the opportunity to alter legislative districts so that the Town of Chelmsford is not split among four districts. He suggested creating a

committee to research the options available, and propose actions that may benefit the Town when the next redistricting is scheduled to occur, after the 2010 census.

It was decided to announce plans for the formation of that committee at Town Meeting, with the expectation that it will be appointed in early 2009.

Aggregate Industries:

Chairman Eliopoulos noted that he has not received any response from the DEP in regards to the test results provided by Aggregate. Selectman Jeannotte asked if other communities could be questioned as to conditions that have been applied to similar plant operations, especially as related to hours of operation, truck traffic, and noise.

Moe's Southwest Grill:

> **Motion:** Selectman Jeannotte made a motion to close the Public Hearing for Moe's Southwestern Grill application for a beer and wine license. Selectman Wojtas seconded the motion. Motion carried, 5-0.
>
> **Motion:** Selectman Jeannotte made a motion to approve a beer and wine license for Moe's Southwestern Grill, with seating capacity of 82; hours of operation: Mon.-Thurs. 11:00am to 9:00pm, Fri.-Sat. 11:00am to 10:00pm, and Sunday 11:00am to 8:00pm. Selectman Wojtas seconded the motion. Motion carried, 5-0.

[Note: Selectman Jeannotte was absent for the remainder of the meeting.]

Personnel Board:

Chairman Eliopoulos called the joint meeting to order with the Personnel Board at 7:05pm. Personnel Board members present were: Chairman Ellen DiPasquale, Cheryl Boss, Edmund Roux, Debra Mungovan, and Mike Vosnakis. Jeanne Parziale, Director of Human Resources, was also present.

Ms. Parziale explained the background leading to the review of the Town personnel policies and procedures.

Ms. DiPasquale reported the major changes that have been recommended, including the specification of the term 'at will' to describe the employer/employee relationship in effect, and the change to a Paid Time Off process in place of specific sick, vacation, and personal days off. She noted that employees who have accumulated sick time will still be able to use that time if needed to supplement income while on long term disability and/or Family Medical Leave.

Mr. Cohen noted that the PTO proposal provides more parity for employees. He reported that employees will be eligible for the program if they work 20 hours per week or more.

Chairman Eliopoulos requested a financial analysis comparing the potential usage of PTO versus the traditional sick/vacation days off.

Adjournment (joint meeting):

Motion: Selectman Wojtas made a motion to adjourn the joint meeting at 7:40pm. Selectmen Dalton seconded the motion. Motion carried, 9-0.

The Board of Selectmen continued their meeting.

Financial Update:
Darlene Lussier, Town Accountant, reported on revenues for Fiscal Year 2008. She noted that motor vehicle excise taxes were higher than expected; however, the amount raised from building permits was lower than expected. She reported that all departments had managed their budgets frugally, and most did not spend the entire amount allocated to them. She expected to receive the certified free cash amount within a few days, so that it can be reported at Town Meeting.

John Sousa, Town Treasurer/Collector, reported on the financial status for Fiscal Year 2009 to date. He noted that receipts are lower than expected, particularly permits and motor vehicle excise taxes. Receipts from Real Estate and Personal Property taxes are holding steady. He also reported that some expenses are running higher than expected. Three notable items: unemployment, fuel costs, and police and fire overtime.

Mr. Cohen reported that he has requested that all department heads eliminate overtime if possible, and to be prepared for additional cuts to budgets if state aid is reduced.

Selectmen/Town Manager Goals:
Chairman Eliopoulos asked the Town Manager to prepare a status report for the main goals as defined in earlier meetings. He suggested creating sub-committees to work on several of the goals, in order that progress will continue. He proposed brainstorming sessions for each item on the list of goals. He asked each member of the Board to consider those areas where they would most interested in serving if sub-committees are created.

Selectmen Referrals:
Selectman Wojtas noted recent activities related to applying for a Community Development Block Grant as part of regional request.

Selectman Dalton asked the Town Manager to follow-up on the concern of a resident on Manwell Road regarding an issue with their driveway.

Adjournment:

Motion: Selectman Wojtas made a motion to adjourn 8:50pm. Selectman Dalton seconded the motion. Motion carried, 4-0.

Respectfully submitted,

Pat Wojtas, Clerk of the Board of Selectman

CHELMSFORD BOARD OF SELECTMEN
PRE-TOWN MEETING AGENDA
October 20, 2008

Town Offices
50 Billerica Rd.

6:30 p.m. Call to Order

6:31 p.m. CHS Spirit Week Bonfire

6:32 p.m. BOS Recommendations Town Meeting Warrant Articles

7:30 p.m. Start of Fall Town Meeting

Unscheduled Business

-

Selectman Referrals

Press Questions

Next Regular Meeting: October 27, 2008

***** This meeting is not televised. *****

APPROVED 11/10/08

TOWN OF CHELMSFORD
BOARD OF SELECTMEN MINUTES
Monday, October 20, 2008
Senior Center
75 Groton Rd, N. Chelmsford

Attending:
Philip M. Eliopoulos, Selectman Chairman
Clare Jeannotte, Selectman Vice Chairman
Patricia Wojtas, Selectman Clerk
Eric R. Dahlberg, Selectman
Paul Cohen, Town Manager
John Giorgio, Town Counsel

6:40pm
Chairman Eliopoulos called the meeting to order.

CHS Pep Rally Bonfire:
Mr. Cohen reported that a request has been submitted to allow a bonfire during the Chelmsford High School pep rally to be held on Wednesday, November 26.

> **Motion:** Selectman Jeannotte made a motion to permit a bonfire during a pep rally on November 26, subject to providing adequate monitoring. Selectman Wojtas seconded the motion. Motion carried, 4-0.

Town Meeting Articles:
Mr. Cohen reported that the certified free cash amount for Fiscal Year 2008 was $2,212,005.

> **Motion:** Selectman Jeannotte made a motion to recommend approval of Article 2 on the Town Meeting warrant. Selectman Wojtas seconded the motion. Motion carried, 4-0.

Mr. Cohen reported the details for the L-1 Solutions TIF agreement.

> **Motion:** Selectman Jeannotte made a motion to recommend approval of Article 7 on the Town Meeting warrant. Selectman Wojtas seconded the motion. Motion carried, 4-0.

Mr. Cohen noted that the presentation for allocating funds for improvements to the Barret-Byam Homestead will include details for specific items.

> **Motion:** Selectman Jeannotte made a motion to recommend approval of Article 8 on the Town Meeting warrant. Selectman Wojtas seconded the motion. Motion carried, 4-0.

It was decided to wait until the Town Meeting presentation regarding updates to the Demolition Bylaw (Article 14) before making a recommendation by the Board.

Selectman Jeannotte questioned Mr. Giorgio regarding the need to submit a home rule petition to address underground utility surcharge issues, in addition to amending the relevant bylaw. Mr. Giorgio stated that he would advise following through on both.

Aggregate Industries:

Chairman Eliopoulos stated that no response has been received from DEP in regard to the emissions testing report sent to them. He noted that it appeared unlikely that a response would be received in sufficient time for Board members to review before the next scheduled meeting (October 27).

Selectman Jeannotte reported that she had spoken with Senator Susan Fargo's chief of staff (Don Siriani) in regards to the report submitted by the Department of Public Health. He indicated that the Senator can help with follow-up and further review with the DPH. Selectman Jeannotte will provide a copy of the DPH report to the Senator's office.

Mobile Home Park:

Mr. Giorgio reported that he has received a complaint from the owners of the Chelmsford Mobile Home Park which mirrors the complaint filed with the Appellate Tax Board.

McCarthy Bleacher accident:

Mr. Cohen reported on an accident that occurred over the weekend, when two spectators at a Pop Warner football game at McCarthy School fell to the ground when the bleacher seats apparently collapsed. He noted that the bleachers will not be used again until it can be determined that they are sufficiently structurally sound.

Adjournment:

> **Motion:** Selectman Jeannotte made a motion to adjourn at 7:25PM. Selectman Wojtas seconded the motion. Motion carried, 4-0.

Respectfully submitted,

Pat Wojtas, Clerk of the Board of Selectmen

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA
October 27, 2008

Town Offices
50 Billerica Rd.

7:00 p.m. Call to Order

Public Service Announcements

- **Proclamation – Carol Cleven**
- **Halloween – Trick or Treating Hours**

Open Session

Scheduled Business

7:30 p.m. Café Madrid – New Corporation, Change from Beer & Wine License to All Alcohol License

7:35 p.m. Casasola Corp. – Class 2 Auto Dealers License

7:40 p.m. Feng Shui – Increase seating capacity

7:45 p.m. Country Club USA – Extension of one hour – November 26, 2008

7:50 p.m. Greg Spring – Roadside vendor license

8:00 p.m. Aggregate Industries - Withdrawal of Request for Fuel Storage Tank License Modification

Town Manager Bid Awards

- Solid Waste
- Lease of Space, DPW- Sewer Division

Town Manager Appointments

- Community Action Program Committee – Andrea Ross
- Zoning Board of Appeals – Joel Luna to regular seat from alternate seat
- Alternate Zoning Board of Appeals – Paul Haverty

Town Manager Reports

-

***** This meeting is televised. *****

BOS Meeting Minutes

- BOS Regular Meeting Minutes August 6, 2008
- BOS Regular Meeting Minutes August 11, 2008
- BOS Work Session Minutes August 14, 2008
- BOS Executive Session Minutes August 14, 2008
- BOS Regular Meeting Minutes August 25, 2008
- BOS Executive Session Minutes August 25, 2008
- BOS Regular Meeting Minutes September 8, 2008
- BOS Executive Session Minutes September 8, 2008
- BOS Meeting Minutes September 12, 2008
- BOS Joint Meeting Minutes September 22, 2008

Unscheduled Business

-

Selectman Referrals

Press Questions

Executive Session

Next Regular Meeting: November 10, 2008

APPROVED 1/5/2009

TOWN OF CHELMSFORD
BOARD OF SELECTMEN MINUTES
Monday, October 27, 2008
50 Billerica Rd, Chelmsford

Attending:
Philip M. Eliopoulos, Selectman Chairman
Clare Jeannotte, Selectman Vice Chairman
Patricia Wojtas, Selectman Clerk
Eric Dahlberg, Selectman
Paul Cohen, Town Manager

Absent: William F. Dalton, Selectman

7:00pm
Chairman Eliopoulos called the meeting to order and reported that Aggregate Industries had withdrawn their application but the Board would accept public input this evening.

Public Service Announcements:

1. A proclamation was read, paying tribute to Carol Cleven as she turned 80 on November 2, 2008. Ms. Cleven thanked the Board and stated she would continue to be active in the community.
2. Jim Wilde of the Merrimack Valley Housing Partnership stated that the organization's mission was to promote home ownership through seminars and education. Mr. Wilde stated that in these economic times there is strong demand for classes. Mr. Wilde also described a down payment assistance program for first time buyers.
3. Chairman Eliopoulos stated that Halloween trick or treating would be on October 31st from 5pm-8pm.

Open Session:

1. Jim Pindar, Robin Hill Road, was pleased Aggregate pulled their application and wanted testing of the facility to continue. Mr. Pindar also wanted the Board to revisit hours of operation.

Town Manager Reports:

1. Mr. Cohen asked the Board to vote on a Common Victualer license, which was previously held under Sabitino's.

   Motion: Selectman Jeannotte made a motion to approve a Common Victualer license for Veneto Ristorante at 17 Vinal Square to Alan Gallo; hours of operation 10am –midnight seven days a week; for 32 seats. Selectman Wojtas seconded the motion. Motion carried.

2. Mr. Cohen reported that the safety of children walking to Center School has been addressed and a corridor now provides a safe walking area to the school.

3. Mr. Cohen requested a vote form the Board regarding two home rule petitions, which had been approved at Town Meeting.

> **Motion:** Selectman Jeannotte made a motion to authorize the Town Manager to move forward with two articles for home rule petitions to the legislature. Selectman Wojtas seconded the motion. Motion carried.

Town Manager Bid Awards:

1. Mr. Cohen reported on regional negotiations for a solid waste contract and was seeking the board's approval to execute the contract as presented.

> **Motion:** Selectman Jeannotte made a motion to authorize the Town Manager to enter into a contract for solid waste disposal with Covanta Energy of Haverhill for a 5 year term at $67.00 per ton increasing $2.00 per ton per year. Selectman Wojtas seconded the motion. Motion carried.

Café Madrid:

Yazmin Fadjo and Larry Fadjo requested the following: That the business name be changed from Café Madrid to Home of the Famous Cuban and that the Beer and Wine license be changed to an All-Alcohol license. Chairman Eliopoulos asked if there was anyone to speak for or against the changes.

> **Motion:** Selectman Jeannotte made a motion to close the Public Hearing. Selectman Wojtas seconded the motion. Motion carried.

Chairman Eliopoulos noted that the policy of the Board is for the applicant to wait 2 weeks for a liquor license, but that the Board can waive the waiting period at its discretion.

> **Motion:** Selectman Jeannotte made a motion to approve the business name of Café Madrid to be changed to Home of the Famous Cuban, and to approve an all alcohol license. Selectman Wojtas seconded the motion. Motion carried, 3-0, with Chairman Eliopoulos abstaining.

Casasola Corp.-Class II Auto Dealers License:

Hector Casasola requested a Class II Auto Dealers License for 9 cars. Mr. Cohen stated that the site plan needed to be reviewed and approved by the Planning Board.

> **Motion:** Selectman Jeannotte made a motion to approve a Class II Auto Delarers License auto dealer to Casasola Corp d/b/a Sun Auto Sales on 301 Littleton Road for 9 used vehicles contingent on Building Inspector's final approval. Selectman Wojtas seconded the motion. Motion carried.

Feng Shui-Increasing Seating Capacity:

Stephen Dong requested additional seating in the upstairs portion of the restaurant. Chairman Eliopoulos stated that the liquor and common victualer licenses needed to be updated to address new seating.

Motion: Selectman Jeannotte made a motion to amend the Common Victualer and All Alcohol Licenses for Feng Shui on 285 Chelmsford Street increasing seating from 172 to 252; contingent on final approval from building inspector. Selectman Wojtas seconded the motion. Motion carried.

Country Club USA-Extension of one hour-November 26, 2008:

Motion: Selectman Jeannotte made a motion to extend the hours of operation for Country Club USA from 1am to 2am on November 26, 2008. Selectman Wojtas seconded the motion. Motion carried.

Town Manager Bid Award:

Mr. Cohen reported on proposed leased space on Kidder Road.

Motion: Selectman Jeannotte made a motion to authorize a lease as identified on the letter submitted by the Town Manger dated 9-15-08 excluding option periods. Selectman Wojtas seconded the motion. Motion carried.

Town Manager Appointments:

Motion: Selectman Jeannotte made a motion to approve the appointment of Andrea Ross to the Community Action Program Committee for a one-year appointment. Selectman Wojtas seconded the motion. Motion carried.

Mr. Cohen stated that John Coppinger has resigned from the ZBA, and asked the Board to approve his appointments of Joel Luna, currently an alternate member, as a permanent member to the ZBA, and to approve the appointment of a new alternate member.

Motion: Selectman Jeannotte made a motion approve the appointments of Joel Luna as a permanent member to the ZBA, term expiring on June 30, 2011, and Paul Haverty as an alternate member, term expiring on June 30, 2009. Selectman Wojtas seconded the motion. Motion carried.

Roadside Vendor:

Motion: Selectman Jeannotte made a motion to approve the Roadside Vendor license to Gregory Spring to sell holiday trees and wreaths at 55 Graniteville Road (Sully's Ice Cream) from December 1-December 24 from 9am to 9pm. Selectman Wojtas seconded the motion. Motion carried.

Town Manager Reports:

1. Mr. Cohen reported that he received notice that a load of solid waste delivered to the disposal facility contained unacceptable amounts of recyclable paper. He reminded residents of the requirements to recycle.
2. Mr. Cohen reported that Harvard Vanguard, which owns property located at 228 Billerica Road, is tax exempt. The corporation has offered to make payments in lieu of taxes in the amount of $40,000 this year, and increasing the amount by 3% for the next ten years. Mr. Cohen stated that the assessors will work on developing a policy for PILOT payments.
3. Mr. Cohen reported that he has received a letter from DCR regarding upgrades to the Swain Pond dam. He noted that he has applied for a delay in completing those required upgrades. He has been notified that no funding will be available from DCR. Mr. Cohen stated that necessary funding may be available from the capital budget.
4. Mr. Cohen reported that a new health plan being offered by Blue Cross/Blue Shield, which is similar to the State's GIC program, would be presented to the Insurance Advisory Committee.
5. Mr. Cohen reported that Comcast has notified him of rate increases effective December 1. He also noted that progress is continuing with negotiations with Verizon for installation of FiOS in Chelmsford. Mr. Cohen would keep the Board updated.

Aggregate Industries:

Chairman Eliopoulos explained that Aggregate Industries pulled their application for expanded fuel storage.

Public Input on Aggregate;

1. John Wojcik, Littleton Road, asked the Board about the formal record of finding. Chairman Eliopoulos stated that all testimony was being compiled.
2. Rachel Harvey, 255 Mason, asked about truck emissions. If Aggregate applies again, she wanted to know how residents would be notified.
3. Denise Sorese, 120 Morocco, wanted to be notified if things change and asked about hours of operation on Sundays.
4. Debra Vozin, 270 Littleton Road, wanted a final answer to the dust and smell, and traffic. Ms.Vozin stated that residents suffer.

Approval of Minutes:

Motion: Selectman Jeannotte made a motion to approve the August 6, 2008 minutes. Selectman Wojtas seconded the motion. Motion carried.

Motion: Selectman Jeannotte made a motion to approve the August 11, 2008 minutes, as amended. Selectman Wojtas seconded the motion. Motion carried.

Motion: Selectman Jeannotte made a motion to approve the August 14, 2008 work session minutes. Selectman Wojtas seconded the motion. Motion carried.

Motion: Selectman Jeannotte made a motion to approve the August 14, 2008 executive session minutes, not to release. Selectman Wojtas seconded the motion. Motion carried.

Motion: Selectman Jeannotte made a motion to approve the August 25, 2008 minutes. Selectman Wojtas seconded the motion. Motion carried.

Motion: Selectman Jeannotte made a motion to approve the August 25, 2008 executive session minutes, to release as amended. Selectman Wojtas seconded the motion. Motion carried.

Motion: Selectman Wojtas made a motion to approve the September 8, 2008 minutes. Selectman Dahlberg seconded the motion. Motion carried with Selectman Jeannotte abstaining.

Motion: Selectman Wojtas made a motion to approve the September 8, 2008 executive session minutes, to release. Selectman Dahlberg seconded the motion. Motion carried with Selectman Jeannotte abstaining.

Motion: Selectman Jeannotte made a motion to approve the September 12, 2008 minutes. Selectman Wojtas seconded the motion. Motion carried with Chairman Eliopoulos and Selectman Dahlberg abstaining.

Motion: Selectman Jeannotte made a motion to approve the September 22, 2008 joint meeting minutes. Selectman Wojtas seconded the motion. Motion carried with Selectman Dahlberg abstaining.

Selectmen Referrals:

Selectman Wojtas made the following referral(s):

1. Selectman Wojtas updated the Board on the LRTA holiday schedule.
2. Selectman Wojtas reported on the choices for the town's One Book.

Selectman Jeannotte made the following referral(s):

1. Selectman Jeannotte updated the Board on the recent Legislative Breakfast.
2. Selectman Jeannotte reported on discussions by the Bicycle and Pedestrian Advisory Committee.
3. Selectman Jeannotte noted that the Capital Planning Committee has begun meeting to review capital projects.

Selectman Dahlberg made no referrals.

Chairman Eliopoulos made the following referral(s)

1. Chairman Eliopoulos reminded voters about the November 4th election.
2. Chairman Eliopoulos commented on the reimbursement check recently received from the Mass. School Building Authority.

Mr. Cohen reminded residents about Veterans Day celebrations on November 11th.

Press Questions:

None.

Adjournment:

Motion: Selectman Jeannotte made a motion to adjourn at 8:55pm. Selectman Wojtas seconded the motion. Motion carried.

Respectfully submitted,
Patrice Garvin

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA
November 10, 2008

Town Offices
50 Billerica Rd.

7:00 p.m. Call to Order

Public Service Announcements

- **Proclamation, John Coppinger**
- **Proclamation Veteran's Day**

Open Session

Scheduled Business

7:30 p.m. David Hedison –Vote to acquire Housing Unit

7:35 p.m. Tax Classification Hearing

8:00 p.m. Big Kahuna – Change of Manager

8:05 p.m. Central Congregational Church – Road side vendor License

8:05 p.m. Lewis Property Update – Philip Stanway

Town Manager Reports

BOS Meeting Minutes

- BOS Work Session Minutes October 14, 2008
- BOS Pre-Town Meeting Minutes October 20, 2008
- Approval of Public Input on hearings for Aggregate Industries

Unscheduled Business

- Discussion and vote to continue with the application for the Community Development Block Grant

Selectman Referrals

Press Questions

Executive Session

Next Regular Meeting: November 24, 2008

*** **This meeting is televised.** ***

Approved 12-08-08

Town of Chelmsford
Board of Selectmen Minutes
50 Billerica Rd., Room 204
Chelmsford, Ma 01824

November 10, 2008
Regular Meeting

Attending:
Phillip M. Eliopoulos, Chairman
Clare Jeannotte, Vice Chair
Patricia Wojtas, Selectmen Clerk
Eric Dahlberg, Selectman
William F. Dalton, Selectman

Paul Cohen, Town Manager

7:00PM
Chairman Eliopoulos called the meeting to order.

Public Service Announcements

1. Proclamation, John Coppinger - Selectman Jeannotte read a proclamation recognizing the service Mr. Coppinger has provided to the Town since 1991. Mr. Blake of the Board of Appeals presented Mr. Coppinger with a plaque acknowledging his service to that Board. Mr. Coppinger expressed his thanks to all the Boards and the people he has worked with.

2. Proclamation, Veteran's Day - Selectman Jeannotte read a proclamation recognizing November 11, 2008 as Veteran's Day, and urged the residents to remember the personal contributions of all veterans in their community and nation, and to demonstrate their respect and gratitude in appropriate ways.

Regina Jackson came forward to announce an 11AM service at the Veterans Memorial Park to which the general public was invited.

3. Voting/Election Day - Betty Delaney, Town Clerk, wished to thank everyone involved in helping Election Day run smoothly, especially precinct and custodial workers, DPW workers, Police personnel, wardens, clerks, her staff and the public for the high turnout.

Open Session

1. Lois Tabaczynski, 189 Littleton Rd, Unit 110, wished to make a complaint against Christopher's Towing. She alleges his exorbitant unsupported charges caused her insurance company to deem her vehicle a total loss. She was in an accident where her car had to be towed from a ditch. Fifty days later, her insurance company was presented with a bill of $4,979.00. She handed letters to the Board, and asked that the Board investigate Christopher's business practices, to avoid further abuse, as he is not representing the Town fairly. Chairman Eliopoulos explained he will have Town Manager Cohen and Police Chief Murphy review the information, and one of them would get back to her.

2. Jeff Hardy, 5 Maple Ave., announced that this Sunday, volunteers would be in the Center hanging winter banners in preparation for the Tree Lighting Ceremony on December 7, 2008. He asked the Public to be aware, and not run them over.

David Hedison – Request to acquire Housing Unit

Mr. Hedison of the Chelmsford Housing Authority asked the Board to waive the Town's right of first refusal, as his office wishes to purchase a recently foreclosed Affordable Unit on behalf of the CHA, in order to preserve its status as an affordable unit of housing in the Town. The CHA will purchase, repair, settle existing liens, and re-sell the unit to a qualified family on their waiting list. The Community Preservation Committee has agreed to provide some funds, and he is requesting further assistance from Mass. Housing.

> **Motion:** By Selectman Jeannotte that the Board of Selectmen designate and authorize the Chelmsford Housing Authority to exercise the Town of Chelmsford's rights under a certain affordable housing restriction dated March 2, 2005 and encumbering Unit 14 in the Orchard Woods Condominium located at 130 Turnpike Rd., Chelmsford, to purchase said Condominium Unit at its below market resale price, and to hold it in its rental housing inventory or re-sell it to another income eligible household, and to take any and all actions as may be necessary and appropriate to carry out this transaction. Seconded by Selectman Wojtas. Motion carried, 5-0.

Town Manager Reports

1. Mr. Cohen wished to acknowledge the tremendous job done by the Town Clerk's office on Election Day, and the events leading up to it. They saw over 2000 people voting absentee. Other situations such as provisional ballots, changes in laws, and tax bills being due at the same time added to their burden.

2. Mr. Cohen announced a public meeting to be held on Wednesday, November 12, 2008 at the School Administration building at 7:30PM with the Finance Committee and the School Committee to discuss budgeting issues for 2009. He was disappointed that he received no response from Phil Katz, the liaison for the Teachers' Union in regard to a letter sent about healthcare issues. He is meeting with the Insurance Advisory Committee to discuss a new Blue Cross/Blue Shield product. There is also discussion on forming a regional consortium with surrounding towns as a way to curb costs. Chairman Eliopoulos encouraged Mr. Cohen to continue trying to work with the School Dept. to address the issue of healthcare.

3. Mr. Cohen received written notification from the Governor's office that a previously awarded $150,000.00 allocation for work on Meadowbrook Rd. has been cut. There has been no update regarding funds for upgrades to old Town Hall and Kate's Corner.

4. Mr. Cohen will continue to monitor Aggregate Industries' upgrades on Oak Rd. The Fire Dept. will continue to do their annual testing. Police Chief Murphy verified the company has only requested Sunday openings on 4 dates from September 2006 to September 2008.

5. Mr. Cohen has received approval from the State for an extension request in regard to the Swain Pond Dam.

6. Mr. Cohen is working with the CHA and Evan Belansky on uses for several facilities and property as potential affordable housing.

7. Mr. Cohen reported that DHCD has denied the Town's application for certification of sufficient affordable housing units added during the current calendar year, which would have permitted a moratorium on new 40B developments.

Arnold Lovering

Chairman Eliopoulos called for a moment of silence in memory of Mr. Lovering, who served the Town of Chelmsford in several capacities for many years, including as a member of the Board of Selectmen.

Tax Classification Hearing

Legal Notice was read, and the Public Hearing Opened. Chief Assessor Frank Reen showed slides and discussed methods used to value commercial and residential property. He also explained that Commercial property owners are responsible for submitting annual income and expense data reports. The penalty for non-compliance is a $50.00 fine. He explained how abatements are awarded and appealed. He presented several spreadsheets to show the effects of tax rates on residential, commercial and industrial payers, and what happens when rates are shifted within the categories. He stated that rates are reviewed annually, and every 3 years the rates are submitted to the State for review of assessment level and uniformity. He noted that rates are affected by exemptions, abatements, Open Space discounts, vacant land, condominium developments, real estate sales and other factors. A question was raised that commercial real estate was not being valued properly. Mr. Reen was able to provide a chart listing assessed values and sale values for various commercial and residential properties that had sold over the last year. The difference in assessed values compared to sale prices for residential properties was greater than those of commercial properties. This comparison led him to believe that commercial properties were indeed being assessed to value, in spite of only receiving a return rate of 36% on the income and expense data reports. He also allowed that sales prices were adjusted to account for things like goodwill, existing leases, personal property, improvements and other items that can be included in these types of transactions.

Mr. Reen explained that when using a split tax rate, a Minimum Residential Factor must be computed. The State provides guidelines and regulations on how this is done. Mr. Reen provided charts on residential vs. commercial values from 1983 to 2008. He noted a shift from residential to commercial payers starting in 2006, largely due to market conditions. Mr. Reen predicted a further 5% fall in assessments, due to market conditions and economic factors. Exemptions are available to small businesses with less than 10 employees that make less than $1million annually. Exemptions are not available to multi unit properties if any one of their tenants does not qualify. Mr. Cohen added that growth and excluded debt are also figured into the total tax bill, which creates confusion for people who hear their rates are not supposed to increase more than 2.5%, but see the numbers increasing by a greater rate. He noted that assessments are affected by market trends, but when growth and excluded debt amounts are figured in, the bottom line tends to make the bill increase.

Public Comments:

1. Mary Tiano, 1 Spruce St., was very interested in increasing I&E submissions by commercial property owners. Mr. Reen noted that by paying the fine, the owners forfeited their right to appeal the assessed value. He acknowledged there was a need for further legislative penalties, but none were in place at this time. Ms. Tiano felt that if residential payers were required to comply with the bylaws, commercial payers should be held to the same standards.

2. Marian Paresky, 10 Smith St., suggested that the Assessors Office could publish the names of property owners that do not file their I&E reports, as an enticement to comply, or be faced with bad press. The names of people who do not pay their taxes are already published, so this should not present a problem legally. She believes residents want more open and honest communication from Town officials, because as Mr. Cohen pointed out, the rates and assessments fluctuate, but the bills keep increasing. She feels the Selectmen appear to favor businesses over residents, and people are having difficulty making ends meet. Mr. Dalton commented that the State has reviewed the Town's rates and determined they are in compliance with State regulations. Chairman Eliopoulos questioned why she felt the Board favored businesses over residents. Ms. Paresky explained that when residential issues are put before the Board, they are silent. The Board does more to promote businesses in town, and residents do not receive the same treatment.

3. John Edward, Proctor Rd., teaches economics, and writes a column for the Lowell Sun newspaper. He has noticed that in 1977, businesses paid 14% of total taxes. In 1990, businesses were paying 28% of total taxes. He believes the overall tax code favors the larger players (corporations) rather than small businesses or individuals, via more exemptions and various other loopholes. He would like to see the playing field leveled, so the small businesses and individuals receive more consideration, and not carrying the majority of the tax burden.

4. Pat Magnell, Town Meeting Representative, Precinct 3, questioned which surrounding towns are using classification. She noted that Chelmsford used to have a split rate, and later abandoned it, but she did not know why. She feels the Town needs to use as many tools as possible to generate revenue fairly in these difficult times. Tax Classification is an idea whose time has come again, and it should be voted on by the residents. Selectmen Jeannotte explained that classification does not generate more revenue, so implementing it would not help the Town. Ms. Magnell stated that other towns are using it successfully.

5. Matt Cilento, Rainbow Ave., stated classification will provide more money for residents, which they need right now. He has spoken to many residents who support it. Mr. Dalton stated most businesses in town are small businesses, owned by residents. Classification could put them out of business. He felt other towns are not using classification successfully, but are doing it for political reasons. Mr. Cohen asked Mr. Cilento how he felt taxes should be split. Mr. Cilento was not prepared to answer that. He feels small businesses would be protected by exemptions already in place, therefore they would not be driven out of town.

6. Atty. Douglas Hausler, resident, business owner, and CBA member, feels tax classification is unfair. This issue should be decided by the Selectmen, not the public. This referendum is an issue because the Town is not getting its fair share of funding from the State. This situation is not because of businesses in town. Town assessors have done their due diligence. It is everyone's responsibility to pay what they owe, and to pay it on time. He believes this Board has been more responsive towards residents than Boards in other towns.

7. Glenn Thoren, 18 Pinewood Rd., chaired the original committee that looked at this issue. He remembered that he was for it, until he learned that it is easily affected by economic conditions. It does not work well in bad times like we are in now. He learned it raises no additional revenue, but shifts the burden on who pays what. He agrees that the names of commercial property owners that do not submit I&E reports should be published, as these reports provide valuable information. Fairness is paying what is appropriate. He feels there is no town around that knows more about classification than Chelmsford, as the topic has been debated for many years.

8. Don Kaplan, Fox Hunt Condominiums, told the Board that Waltham has the lowest property rate in the state; perhaps someone could look at their model.

Chairman Eliopoulos explained that this hearing would be continued until November 24, 2008, at 8:00PM. There would be no public input at that time, but residents should feel free to contact any Board member in the meantime.

Big Kahuna-Change of Manager

Gary Lavelle, Meadowview Lane, Westford, announced he has given his 75% interest in the Big Kahuna and TBK Management Co., LLC to Rick Dupuis. He is stepping down completely. Selectman Dalton asked him about a complaint he received about a minor being served alcohol in the establishment. Mr. Lavelle explained after all the scrutiny they've been under, that is unlikely. All their bartending and door staff have been TIPS certified, and they have made every effort to respond to prior complaints, and made modifications as needed. Selectman Jeannotte asked if their entertainment license was being modified as well. Mr. Lavelle explained most music will still be inside. Acoustic music and comedy night will still be on the deck, weather permitting. Fundraisers for charities are still being requested and scheduled. When the club was built, they thought the dump would shield most abutters from the noise. When they were notified they were wrong, they changed their venue accordingly. Permits they have pulled for future events have listed constraints that they intend to comply with. Chairman Eliopoulos asked about changes to ownership structure, and was told that Mark Bastien will be the bar manager, but will have no ownership interest. He is TIPS certified, his CORI report is pending. Mrs. Bastien has managed a café in Boott Mills in Lowell. Mr. Bastien is currently working with the Board of Health to put a full kitchen in the Club.

> **Motion:** By Selectman Jeannotte to continue this request per Board policy, and pending Mr. Bastien's CORI report, to November 24, 2008 at 7:30PM. Seconded by Selectman Wojtas. Motion carried, 5-0.

Central Congregational Church, Roadside Vendor License

Dick Pappas spoke on behalf of the Church. This will be the 25th year they have sold Christmas trees and wreaths at this location. They will be open every day from 9AM-9PM starting November 29, 2008, until Christmas or they run out of stock, whichever comes first.

> **Motion:** By Selectman Jeannotte to grant a roadside vendor license to Central Congregational Church from 11/29-12/25/08 to sell Christmas trees and wreaths, from 9AM-9PM, every day. Seconded by Selectman Wojtas. Motion carried, 5-0.

Lewis Property Update-Philip Stanway

Mr. Stanway is the Lead Steward of the Open Space Stewardship. He noted that his group receives $500.00 from the Town to manage approximately 1000 acres, and is able to accomplish his goals mostly through various donations. He announced the annual walk at Thanksgiving Forest on Wednesday before Thanksgiving, which drew 200 people last year. He is anticipating closer to 300 people this year. They will meet on Janet Rd. at 2PM. The Scarecrow Festival at Red Wing Farm was a wonderful event that drew close to 800 people. Mr. Stanway encouraged people to participate in the Winter Tree Scavenger Hunt. A tree has been decorated at all 10 Open Space sites, the goal is to have people submit pictures of themselves by each of the trees. Two trophies will be awarded to a randomly selected group or person that can find all the trees. A fundraiser is being organized where people can donate $75.00 to have an apple tree planted and dedicated to a loved one at Red Wing Farm.

The purpose of tonight's meeting was to show potential ideas for public/community uses for land on Lewis Farm, recently purchased by the Town. To date, the horse barn has been torn down, fences has been removed or repaired as needed, and the horse corral area has been tilled, cleared and planted with winter rye. The horse pen area has been cleared and graded, the jump area fixed, and the horse trough area would be perfect for a raised garden, accessible to handicapped people. He reiterated the Stewardship's desire to continue to maintain the property only, they have no interest in managing the ultimate uses, to be determined by the Town. The Board is interested in obtaining as much public input as possible. One section is very rocky, and would not be good for farming, but Mr. Stanway feels it could be a grassy meadow, good for holding events such as the Scarecrow Festival recently held at Red Wing Farm. There has been interest voiced in community gardens, or farming for the food pantries. There is some rail trail access from Robin Hill Rd. This area needs to be secured, as neighbors are complaining about people cutting through private property to get to the trail. There is an area that could be used for parking for the trail, which would keep people away from parking at the businesses on Maple Rd.

Mr. Stanway has received donated paint and brushes for a Tom Sawyer Day to be held in the Spring, when volunteers will paint the fences. He estimates the Stewardship would need between $400.00 and $500.00 for gas to maintain the property. He is actively seeking donation of a large grass cutter.

The Board requested that anyone with ideas could e-mail or call Board members.

BOS Meeting Minutes

Motion: By Selectman Wojtas to approve the work session minutes of October 14, 2008. Seconded by Selectman Dahlberg. Motion carried 5-0.

Motion: By Selectman Jeannotte to approve the minutes of October 22, 2008. Seconded by Selectman Wojtas. Motion carried, 4-0, with Selectman Dalton abstaining.

Acceptance of Aggregate Industries Public Hearing documents

The application for increased fuel storage capacity at Aggregate Industries has been withdrawn without prejudice. During the public hearing process, substantial input was received and reviewed, including: 17 pages of public testimony compiled by Mr. Cohen, a list of over 100 e-mails received between April, 2008 and October 26, 2008, and research documents presented during the hearings.

Motion: By Selectman Jeannotte to accept the above listed documents into public record. Seconded by Selectman Wojtas. Motion carried, 5-0.

Community Development Block Grant

Selectman Wojtas announced that Chelmsford is working with 4-5 other communities on a Community Development Block Grant program which gives grants to residents that they can use for upgrades to their homes. The money can be paid back over 15 years. If the home is sold, the money is paid back at time of sale. The money is kept in a revolving account, managed by the Merrimack Valley Regional Housing Consortium. Evan Belansky, Community Development Director, would be available to help administer grant applications.

Motion: By Selectman Jeannotte to authorize Mr. Cohen to go forward with this CDF application process. Seconded by Selectman Wojtas. Motion carried, 5-0.

Selectmen Referrals

Selectman Dahlberg:

- The Board of Health has scheduled a second flu clinic for November 13.
- The Veterans Day event at McCarthy School was very nicely done.
- He had concerns with the increasing number of buildings on Chelmsford St. that are being boarded up or vacant. Mr. Cohen stated a demolition permit is being pulled on the Skip's location; Exxon/Mobil is most likely looking for a buyer of their closed station; and the Town's hands are tied with regard to the Cinema, as that project is still in the Appeals process. Chairman Eliopoulos asked if town counsel could review bylaws to see what can be done to hold property owners responsible for the appearance of their buildings.

Selectman Jeannotte:

- Questioned the status of the Economic Development position. Mr. Cohen answered that it would not be filled due to budget constraints. Various other positions will not be filled for the same reason.
- She reminded the public of the upcoming joint meeting on Wednesday night at 7:30PM, at the School Administration building on North Rd.
- The Personnel Board held an additional hearing on new policies, and has voted to accept them.
- The Capital Planning Committee has begun meeting to prioritize capital requests for FY 2010.

Selectman Wojtas:

- Requested an "Entering Chelmsford" sign be erected on Stedman St.

- Reported that the book chosen for the One Book program for 2009 is "Three Cups of Tea".
- She acknowledged Arnold Lovering's contributions to the Town, and noted that he will be missed.

Selectman Dalton:

- Recalled some incidents that occurred during Mr. Lovering's tenure.
- Noted that a closing was scheduled for last week on the Kaminsky property on Meadowbrook Rd. Tony Zagzoug went out, and things have been moved around, but the property has not been cleaned up yet.
- Reported a situation on Manwell Rd. should be addressed by the Highway Dept.
- Phil Jones' CVL is coming up for renewal, and it appears that he has not complied with ADA bylaws yet. He is requesting that Mr. Jones appear before the Board in December with a status report on what he plans to do, as his time on the extension that was granted is running out.

Selectman Eliopoulos: No referrals.

Press Questions

David Golann, from the Chelmsford Independent, asked for a copy of the Tax Classification presentation, and verified the accuracy of key points in the presentation.

Adjournment to Executive Session

Motion: By Selectman Jeannotte to adjourn at 10:20PM into Executive Session to discuss the status of current litigation. Seconded by Selectman Wojtas.

Roll Call Vote:

Selectman Dalton–aye;
Selectman Wojtas–aye;
Selectman Jeannotte–aye;
Selectman Dahlberg –aye;
Chairman Eliopoulos-aye

Respectfully Submitted,

Vivian Merrill
Recording Secretary

Approved 12-8-08

TOWN OF CHELMSFORD
BOARD OF SELECTMEN MINUTES
Wednesday, November 12, 2008
School Administration Building
230 North Rd, Chelmsford

Attending:

Philip Eliopoulos, Selectman Chairman
Clare Jeannotte, Selectman Vice Chairman
Patricia Wojtas, Selectman Clerk
William Dalton, Selectman
Eric Dahlberg, Selectman

Paul Cohen, Town Manager
John Sousa, Town Treasurer
Darlene Lussier, Town Accountant

7:40pm
Chairman Eliopoulos called the meeting to order, jointly with the School Committee and Finance Committee.

School Committee members present were: Chairman Christina Walsh, Kathy Duffett, Angelo Taranto, Evelyn Thoren, and Kevin Porter.

Finance Committee members present were: Chairman Mary Frantz, Dwight Hayward, Donald Van Dyne, Dave Turocy, and Vincent Villano.

Also present were School Superintendent Donald Yeoman, Assistant Superintendent Karen Mazza, and Business Manager Robert Cruickshank.

Budget Update

Ms. Lussier reviewed the status of receipts for Fiscal Year 2009, with approximately one-third of the year having passed. She noted that local receipts are below what was anticipated. They should currently be near 33% of what was budgeted, but are only at 23%. She also reported that motor vehicle excise taxes are running 16% below projections, and receipts from permitting activities are 15.4% below projections. Ms. Lussier reported that expenses are running near the expected level. There are no troublesome items to report.

Mr. Cohen reported that the Fiscal Year 2009 expenditures for health insurance may be over budget because, although the number of employees in the plan is reduced, the premiums for those under the Town's insurance are higher than anticipated. He noted that trash tonnage has decreased this fiscal year.

Regarding budgeting for Fiscal Year 2010, Mr. Cohen reported that he is not factoring additional target aid for Chapter 70, and is expecting a 10% reduction in Lottery Aid. He expects local receipts to remain steady, except for motor vehicle taxes, permits, and hotel

taxes. Overall, he expects net new revenue for Fiscal Year 2010 to be approximately $200,000.

Mr. Sousa reviewed the budget process that will take place over the next several months. He reported that maintaining a level service budget will require an additional $3.3 million.

Mr. Cohen pointed out that there will likely be no funding for collective bargaining for upcoming contract negotiations. He is mindful of the impact on residential property taxes that any increased tax levy would cause.

Dr. Yeoman reported that the school department is working to provide programs and manage costs associated with delivering a quality education. He stated that his department is prepared to make cuts as necessary based on the economic outlook.

Chairman Eliopoulos asked if it was possible that additional cuts would be made to local aid for the current fiscal year. Mr. Cohen reported that it is possible, and would most likely be done in January. Questions were raised regarding anticipating those cuts, and making appropriate changes now, rather than waiting until later in the fiscal year. Mr. Cohen noted the difficulties in making cuts to school programs and classes mid-year, and that other risks must be considered. He indicated that he is waiting for more certainty regarding targets and cuts.

Mr. Cohen stated that if cuts are required for the current fiscal year, he will request a Special Town Meeting to approve the cuts, and provide needed authority for budget changes.

Mr. Cohen reported that the current fee schedule is being reviewed for possible adjustments, and noted that there have been renewed discussions at the state level regarding the potential for local option taxes.

Mr. Van Dyne asked about the possibility of regionalizing services. Mr. Cohen reported that regionalizing often requires state support, and must include support from the relevant unions. He has been meeting with representatives from Dracut, Tyngsboro, and Tewksbury to determine if there are areas where regionalization may be beneficial.

Mr. Cohen reported that Blue Cross has proposed a product that is similar to the state's GIC product. He will review the health insurance options with insurance representatives for possible cost savings. He stated that the savings to be realized from shifting to GIC or the alternative Blue Cross product could be $1.4 million. Chairman Eliopoulos suggested that representatives from the unions, particularly insurance representatives, be asked to attend the next joint budget meeting.

Ms. Duffett suggested that Town officials stress the needs of Chelmsford when speaking to state legislators. Her list included additional Chapter 70 target aid, methods to control SPED costs, and consideration of excess capacity for communities when allocating

Chapter 70 funds. Chairman Eliopoulos asked that the state delegation be invited to the next joint budget meeting.

The next meeting was scheduled for Thursday, December 11 at 7:00pm in the Senior Center.

Adjournment

Motion: Selectman Jeannotte made a motion to adjourn the joint meeting at 9:30pm. Mr. Taranto seconded the motion. Motion carried.

Respectfully submitted,

Pat Wojtas, Clerk of the Board of Selectman

CHELMSFORD BOARD OF SELECTMEN
WORK SESSION AGENDA
November 17, 2008

Town Offices
50 Billerica Rd.

5:30 p.m. Call to Order

1) George Zaharoolis – Billboard Subcommittee

2) December / January Meeting Schedule

3) BOS Goals

4) Summary of Collective Bargaining

5) Permit fees

6) Sources of Free Cash

Next Regular Meeting: November 24, 2008

Approved 12-8-08

TOWN OF CHELMSFORD
BOARD OF SELECTMEN MINUTES – Work Session
Monday, November 17, 2008
Town Offices
50 Billerica Rd, Chelmsford

Attending:
Philip Eliopoulos, Selectman Chairman
Clare Jeannotte, Selectman Vice Chairman
Patricia Wojtas, Selectman Clerk
Eric Dahlberg, Selectman
Paul Cohen, Town Manager

5:30pm
Chairman Eliopoulos called to order the meeting, jointly with the Planning Board. Planning Board members present were: Chairman Pamela Armstrong, George Zaharoolis, Colleen Stansfield, Susan Carter Sullivan, and Robert Joyce.

Billboards
Mr. Zaharoolis reviewed the steps taken by the Planning Board sub-committee which has been working on coming to a determination as to whether an adequate billboard bylaw could be crafted, and if there are locations in Chelmsford that would be appropriate for billboards. He noted that there may be restrictions that would prevent billboards from being allowed only in P (Public) zoned areas, such as educational uses, and designated Open Spaces.

Mr. Zaharoolis listed several restrictions that limit the location of billboards, including proximity to highway on and off ramps, distance between billboards, etc. He noted that a town's bylaw can limit aspects of billboards, including the height, size, lighting, design, and permitting process, but that the town cannot control content.

After reviewing several locations where billboards may be permissible and appropriate, Mr. Zaharoolis asked the Board of Selectmen if the sub-committee should continue with their work. It was decided that the next steps should involve having a representative from the OAB (Outdoor Advertising Board), which monitors billboards, view the proposed locations to determine if any or all fall within state guidelines. Following that assessment, a bylaw may be drafted, and a public hearing scheduled for January or February.

Selectman Jeannotte asked about the potential revenue stream that could be expected from the lease for a billboard on Town-owned land. It was stated that revenue projections are variable, and that many vendors are willing to negotiate with communities.

Master Plan
Evan Belansky, Community Development Director, reported that the Master Plan Committee has been named, and will begin meeting in December. He stated that he has

had several discussions with NMCOG regarding use of their resources in a consulting role for the project. NMCOG has funds available that may be used for Master Plan update purposes.

Planning Board Vacancy

Ms. Armstrong reported that there is a vacancy on the Planning Board due to the resignation of Richard Johnson. A joint meeting was scheduled for December 3 at 6:45PM to fill that vacancy.

Adjournment (joint meeting):

> **Motion:** Mr. Joyce made a motion to adjourn the joint meeting at 7:15pm. Mr. Zaharoolis seconded the motion. Motion carried, 9-0

The Board of Selectmen continued their meeting.

Meeting Schedule

The Board agreed to the proposed meeting schedule as presented, with regular meetings scheduled for November 24, December 8, January 5, and January 26; work sessions on December 15 and January 11.

Selectmen/Town Manager Goals Update

Regarding fiscal goals, Mr. Cohen reported that Selectman Jeannotte and Finance Committee Chairman Mary Frantz will work with him to develop the Fiscal Year 2010 budget. Mr. Cohen stated that he has met with representatives from the school department regarding labor agreements. He stated that the Energy Conservation Committee is expected to present the results of a townwide energy audit by the end of January.

Regarding Economic Development initiatives, Mr. Cohen reviewed the status of on-going projects, including Katrina Road, the redevelopment of Skip's, the Freeman bicycle path, and attempts to recruit a retailer to fill vacant space at the Chelmsford Mall.

Regarding Capital Facility Planning, Mr. Cohen reported that the Permanent Building Committee will present a preliminary report at Spring Town Meeting. The FD/DPW facilities feasibility study should be completed by December, with recommendations.

Collective Bargaining

Mr. Cohen reviewed the collective bargaining units that represent town employees, and the status of contracts with each. He listed the components of labor contracts, and the process and rules that are typically followed when negotiating new contracts.

Permit Fees

The list of fees charged for permits issued by the Board was presented. Mr. Cohen suggested increasing fees for common victualer licenses, auto dealer licenses, entertainment licenses, and automatic amusement licenses. It was decided to formally increase the fees, and provide notification, at the next regular Board meeting on November 24.

St. John's Beer & Wine license:

Motion: Selectman Jeannotte made a motion to approve a one-day beer & wine license for St. John the Evangelist Church for Saturday, November 22, 2008, from 12:00pm to 9:00pm. Selectman Wojtas seconded the motion. Motion carried, 4-0.

Town Manager Reports

1. Mr. Cohen reported that he met with Congresswoman Niki Tsongas and her staff to discuss the status of the commuter rail to New Hampshire. She indicated that she will work to convene a regional meeting to attempt to move the project forward. He also spoke with the Congresswoman regarding the need for additional sewer capacity.
2. Mr. Cohen reported that he has been negotiating with Verizon for licensing to install fiber optic cable in Chelmsford. Negotiations may be completed by the end of the year.

Adjournment:

Motion: Selectman Jeannotte made a motion to adjourn 9:55pm. Selectman Wojtas seconded the motion. Motion carried, 4-0.

Respectfully submitted,

Pat Wojtas, Clerk of the Board of Selectman

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA
November 24, 2008

Town Offices
50 Billerica Rd.

7:00 p.m. Call to Order

Public Service Announcements

- **America Recycles Poster/ Essay Contest Winner**
- **Holiday Prelude – Ken Kydd**

Open Session

Scheduled Business

7:30 p.m. Jessie's Place- Public Hearing, All Alcohol License

7:35 p.m. Big Kahuna – Change of Manager

7:40 p.m. Town Auditors Report on FY 2008

8:00 p.m. Tax Classification Vote

Vote on Request for Non-Binding Ballot Question on Tax Classification

Town Manager Reports

- Christopher's Towing Response
- Center Water District FAQ's

BOS Meeting Minutes

- BOS Regular Meeting Minutes September 29, 2008
-

Unscheduled Business

- License Fees

Selectman Referrals

Press Questions

Executive Session

Next Regular Meeting: December 8, 2008

***** This meeting is televised. *****

Town of Chelmsford
Board of Selectmen Minutes
50 Billerica Rd., Room 204
Chelmsford, MA 01824

November 24, 2008

Attending:
Phillip M. Eliopoulos, Chairman
Clare Jeannotte, Vice Chairman
Patricia Wojtas, Selectmen Clerk
Eric Dahlberg, Selectman
William F. Dalton, Selectman
Paul Cohen, Town Manager

7:00PM
Chairman Eliopoulos called the meeting to order

Public Service Announcements

1. Holiday Prelude - Ken Kydd

Mr. Kydd, 2 Hemlock Dr., announced on behalf of the Holiday Lighting Committee that the Holiday Prelude is scheduled for Sunday, December 7, 2008 from 4-6PM. It will include tractor and horse-drawn carriage rides, visit with Santa, complimentary samples from neighborhood restaurants, the Fire Station will serve hot cocoa, events at the Old Town Hall and Schoolhouse, as well as a band. Everyone is invited. Volunteers may call 978-970-3900 for opportunities to help out. This event qualifies for Community Service Credits at the High School level.

2. America Recycles Poster/Essay Contest winners

Jennifer Almeida and Norm Eisenmann of the Recycling Office were present with the 5 winners of their poster and essay contest. The contest was open to all students in grades K-12. The winners read their essays and displayed their posters. The contest topic was: If you could be on TV for up to three minutes to convey a message about waste and environmental protection, what would you say? Each winner was presented with a Certificate.

Open Session

1. Lois Tabaczynski, 189 Littleton Rd, Unit 110, wished to thank Mr. Cohen and Chief Murphy for their efforts in resolving her complaint against Christopher's Towing. She met with Chief Murphy earlier this day, and listed the discrepancies and main points of her claim. She has requested dispatch records and a written letter from the Chief, as she is not satisfied with the results of the investigation, and will pursue this further. Mr. Cohen explained the investigation is still open; however, he has no record of a police ordered tow, so the Town may not have rights to intervene. Mrs. Tabacynski stated she did not call them, nor did the driver of her car. Mr. Cohen agreed to follow up with her when he had all the information.

2. George Kacek, 24 Westview Ave, would like the Board to authorize Town Counsel to review Article 17 of the fall Town Meeting Warrant. He noted that in March 2007, the Conservation Commission authorized the DPW to widen and re-pave Pond St., by Heart Pond. There was no agreement on how this should be done, so the plan was withdrawn in the fall of 2007. Since then, a petition signed by 96 area residents and presented to the Board has not been acted on. He presented a warrant article for Fall 2008 Town Meeting, and read in the Chelmsford Independent newspaper that his warrant and another citizens petition were not workable, therefore were not taken up. He is looking for the legal reason that precludes why Article 15 in 2007 and Article 17 in 2008 could not be voted on. Chairman Eliopoulos explained that Town Meeting addressed when this road could be opened and closed, as it has been done seasonally because of the public beach. The beach is now closed to the public, and the owner of the beach rights and abutting property has suggested some ideas for developing the area. The petition asked the Town not to pave the road. Due to budget constraints, the Town is not planning on paving the road. Mr. Cohen noted that may change if the Planning Board issues a requirement for paving as a condition for proposed development in the area.

Jessie's Place-Public Hearing, All Alcohol License

Atty. Doug Hausler spoke for the applicant. The applicant was present to answer questions. The employees that would serve alcohol had been TIPS certified when they worked for Skip's. When this location was Jack's Diner, it had a beer/wine license, so this is not a new issue for this location. Abutters have been notified, a copy of the lease and a diagram of the restaurant were supplied to the Board. All CORI forms were returned with no issues. Selectman Wojtas asked for confirmation on Question 14 of the application, Atty. Hausler will review.

Audience Comments:

1. Dennis McHugh, no address given, expressed parking concerns and alcohol related incidents. He does not want to lose privileges granted by Sovereign Bank for use of their lot, as the lot provides parking for customers for all the surrounding businesses.

2. George Kalas, owner of the property behind Jessie's, agreed Jessie's is an asset to the Center, and brings in people. He was also concerned if other businesses lose parking at Sovereign Bank's lot due to an alcohol related offense.

3. Ann McGuigan, 5 Ann's Way, feels parking is sufficient. The application should be rated on the qualifications of the applicant.

Selectman Jeannotte verified there would be no changes to the seating at this time. Selectman Dalton asked how the Town got into the agreement with Sovereign Bank. Mr. Cohen stated the agreement came about in 1999, grants permission of use for 86 spaces, and can be terminated with 30 days notice, at any time. Currently, the lot is owned by a Realty Trust. The Trust has not communicated any concerns about how the land is used, outside of future uses for the Oddfellow building.

> **Motion:** By Selectman Jeannotte to continue the hearing until December 8, 2008 at 7:30PM. Seconded by Selectman Wojtas. Motion carried, unanimous.

Big Kahuna-Change of Manager

Rick Dupuis, Hudson NH, and Mark Bastien, Lowell, MA, were present. CORI results were returned with no issues, TIPS certification is in order. Selectman Dalton noted the entertainment license comes up for renewal in December. Mr. Dupuis stated he plans on changing the direction of where the Club is going. He wishes to focus on hosting charity and fund raising events, as the Club has helped raise over $200,000 for charity. Events can be done on a case basis, as he needs permits for each one of them, which can be tailored as needed. Selectman Jeannotte requested only acoustic music, with no amplification, to curtail the noise complaints.

> **Motion:** By Selectman Jeannotte to approve the change in management of the Big Kahuna whereby Gary Lavalle has been removed completely, and the remaining owner is Rick Dupuis, with Mark Bastien as Manager with no ownership rights. Seconded by Selectman Wojtas. Motion carried, unanimous.

Town Auditors Report on FY 2008

Richard Sullivan, of Powers & Sullivan, CPA went over the results of a two week audit his firm was engaged to complete on behalf of the Town of Chelmsford. Changes in personnel in the Town Accountant and Treasurer occurred. Internal and external procedures have been maintained or enhanced as needed, and the transition was smooth. Information provided was timely and accurate.

The review of the financial performance: Overall, he sees the Town facing similar problems as other towns they've audited. The budget anticipated the use of $1.2 million of free cash, but it did not occur due interest income, intergovernmental revenues and expenditures at 98% of budget. Over the last three fiscal years, there has been a decrease in the Stabilization Fund, which is now 67% of its balance three years ago, due to uses for operations. With reserves eroding, the balance sheet is likewise eroding. Selectman Dalton asked how Chelmsford compares to other towns in the Merrimac Valley and was told that this is not an uncommon practice in this economic climate.

Mr. Sullivan described the four major funds. He noted that fund balances represent about 2.5% of total appropriations, which is average. He noted there is no room for error, the budget is very tight. There have been reductions in Stabilization of $2.57 million over the past 3 years. Debt service currently represents about 13% of the budget which he thought was an acceptable limit. The biggest parts of the budget involved personnel, utilities, and debt service. He feels the finances are being well handled overall, given the significant fiscal challenges. The stabilization fund has been used to cover structural deficiencies in the general fund (recurring costs) instead of one time costs. Mr. Cohen noted in prior years there was a snow & ice deficit, and payroll practices have been adjusted to handle the 27th pay period when it occurs, both were one time charges to the Stabilization fund.

The management letter was discussed next. Internal controls are in place where needed, and appear to be working. Fourteen items were earmarked on the management letter, which is designed to provide constructive criticism. Eleven items were addressed from last year. Four from last year were resolved, and seven are beginning to be resolved. Three new ones appeared. The new items concerned investment risk tolerance, tighter guidelines for encumbrances & appropriations, and subsequent year appropriations. He summed the management letter up as a decent report card.

Selectman Dahlberg asked about the contractual item referenced in the management letter comment and Ms. Lussier responded that the encumbrance related to a contract for cleaning services. A new purchase order system is being set up, which is the preferred method for encumbrances. Selectman Dalton asked if the new employees are doing a good job, and was told that they are doing a very good job. Selectman Jeannotte noted the increase in the Sewer enterprise fund stabilization account, and asked about its limits and potential uses. Mr. Cohen will discuss with Mr. Pearson. Chairman Eliopoulos asked if excess funds could be used to pay down sewer debt, and was told that it can be used to affect sewer rates. Selectman Jeannotte asked if the MGL regarding custodial credit risk is adequate to protect the town in this economic climate. There are guidelines in place to advise what the Town can invest in, with no limits on time frames or amounts invested. Overall, Mr. Sullivan felt the Town assets are being managed correctly. Mr. Cohen and Mr. Souza are putting together a proposal creating a tighter policy on formal investments to be presented at a future date. Selectman Jeannotte noted unfunded liability and pension obligations have doubled over 4 years, and wondered about the impact of the market decline on future annual pension costs. Rising health insurance costs, coupled with asset market values declining, are causing the annual required costs to increase. This will need to be addressed, as they are to be fully funded by 2028.

Tax Classification Vote

Frank Reen was available for questions. He noted that, over the last ten years, Chelmsford has been ranked between 59-61 out of 351 communities in Massachusetts. The CBA and Lowell Sun articles have helped increase submission of some I&E reports; Mr. Reen stated more legislative remedies are needed. Good secondary sources have helped provide accurate assessments.

Selectman Dahlberg stated that he finds it disappointing that the town must resort to public humiliation to try to improve the response the rate for income and expense reports, and hopes that the business community will make a concerted effort to reach higher rates in the future.

> **Motion:** By Selectman Jeannotte to approve a uniform tax rate for FY 2009, to include not offering the open space, residential and commercial exemptions, which is the same as in FY 2008. Seconded by Selectman Wojtas. Motion carried, unanimous.

Vote on Request for Non-Binding Ballot Question on Tax Classification

Selectman Wojtas stated that she did not believe it was appropriate to put the Tax Classification question on the ballot. It is a primary responsibility of Board members to study the Classification issue, and vote in the best interests of the Town overall. Selectman Dalton feels the DOR sets and approves the rates, and that the Town should not be governed by petition. Selectman Dahlberg stated some residents have contacted him, but not a huge outcry. Selectman Jeannotte applauded the people for submitting the petition, but they needed to pursue additional steps to present their case. The rate has increased, but values have fallen, and Mr. Cohen noted that debt has fallen as well. Chairman Eliopoulos acknowledged his desire to meet requests when applicable, but the ballot may not be the proper forum for a request of this magnitude. The Board noted that shifting the tax burden via classification would not serve the community at this time. The economy is bad for everyone, and this is a complicated issue.

> **Motion:** By Selectman Jeannotte not to put the question of Tax Classification on the April 2009 ballot. Seconded by Selectman Wojtas. Motion carried, unanimous.

Town Manager Reports

1. Mr. Cohen stated he met with a developer to discuss a 40B development slated for Rangeway Road in Billerica, which abuts State Street and Bishop Street in Chelmsford. Emergency access is being requested through Chelmsford. No plans have been submitted to date.

2. Mr. Cohen provided a booklet on the Center Water District's position on the North Chelmsford Water District's water treatment plant proposal, explaining why they cannot help them. The project is still pending before several Boards.

3. Mr. Cohen noted an upcoming public hearing regarding the application for a Community Development Block Grant. The hearing will be part of the December 8 Board meeting.

4. Mr. Cohen wished everyone a Happy Thanksgiving, and is looking forward to the football game being hosted by Chelmsford High School, at 10AM.

BOS Meeting Minutes

BOS Regular Meeting Minutes-September 29, 2008

Motion: By Selectman Jeannotte to approve the meeting minutes of September 29, 2008, with changes to Page 5, #6, name change from Gloria to Laura, # 7 name change from Christie to Christine, Page 6 #1 change to money may be available, and #4 change to natural gas price of $12.54. Seconded by Selectman Wojtas. Motion carried, unanimous.

License Fees

The fees for auto dealers, common victualers billiard tables automatic amusements and entertainment have not been updated since 2002. Liquor licensing is still under study.

Motion: By Selectman Jeannotte to increase licensing fees for auto dealers from $100.00 to $200.00, Common Victualers from $50.00 to $100.00, billiard tables will remain at $100.00 for first table, $35.00 for additional tables, automatic amusements will increase from $70.00 to $100.00, and entertainment licenses will increase from $100.00 to $200.00. Motion includes a request for annual review for all licensing fees. Seconded by Selectman Wojtas. Motion carried, unanimous.

Selectmen Referrals

Selectman Dalton:

* He received a call regarding Pond St., asking that it not be paved, and requesting that potholes be filled, and plowing in the winter continue.

Selectman Wojtas:

No referrals.

Selectman Jeannotte:

* Requested status of the Re-districting study committee. Chairman Eliopoulos suggested that discussion of that committee be placed on the agenda for the next Board work session.

Selectman Dahlberg:

* He wished to recognize Cindy McLain and Beth Logan for their dedication to the Rail Trail project. At their last meeting, a request was made for volunteers for landscaping and maintenance. The trail will be a great asset to the Town when it is completed in August, 2009.

Chairman Eliopoulos:

* He attended a Community Preservation meeting where Mr. Stanway did another presentation for potential uses of Lewis Farm. Chairman Eliopoulos would like to have a Public Input session on this at a future BOS meeting. Mr. Cohen spoke with Phil Jones on several matters, one of which was a serious interest in a community garden.

* The Town's annual report will be published online very soon, and is currently available in hard copy.

* The Thanksgiving Walk at Thanksgiving Forest is scheduled for November 26, 2008 at 2PM.

* Enjoy the football game at 10AM at the High School, and Happy Thanksgiving to Everyone.

Press Questions

None.

Adjournment

Motion: Selectman Jeannotte made a motion to adjourn at 9:40pm. Selectman Wojtas seconded the motion. Motion carried, unanimous.

Respectfully Submitted,

Vivian Merrill
Recording Secretary

APPROVED 1/5/2009

TOWN OF CHELMSFORD
BOARD OF SELECTMEN MINUTES
Wednesday, December 3, 2008
Town Offices
50 Billerica Rd, Chelmsford

Attending:
Philip Eliopoulos, Selectman Chairman
Patricia Wojtas, Selectman Clerk
William Dalton, Selectman
Eric Dahlberg, Selectman

6:45pm
Planning Board Chairman Pamela Armstrong called the joint meeting to order. Other Planning Board members present were: Sue Carter Sullivan, Robert Joyce, George Zaharoolis, James Lane, and Ann McGuigan.

Planning Board Appointment
Ms. Armstrong explained that the purpose of this meeting was to appoint a Planning Board member to fill the vacancy created by the resignation of Richard Johnson.

Mr. Joyce nominated Colleen Stansfield to fill the vacancy, effective until the next town election. Selectman Dalton seconded the nomination.

> **Motion:** Chairman Eliopoulos made a motion to close nominations. Ms. Sullivan seconded the motion. Motion carried unanimously.

Ms. Stansfield, who currently serves as the Planning Board Alternate, pledged her continued work with the other members of the Board to serve the best interests of the Town.

Board members from both boards were polled:

Mr. Lane: Colleen Stansfield
Mr. Zaharoolis: Colleen Stansfield
Ms. Armstrong: Colleen Stansfield
Ms. Sullivan: Colleen Stansfield
Mr. McGuigan: Colleen Stansfield
Mr. Joyce: Colleen Stansfield
Selectman Dalton: Colleen Stansfield
Selectman Dahlberg: Colleen Stansfield
Selectman Wojtas: Colleen Stansfield
Chairman Eliopoulos: Colleen Stansfield

Adjournment (joint meeting):

Motion: Selectman Wojtas made a motion to adjourn the joint meeting at 6:50pm. Selectman Dalton seconded the motion. Motion carried.

Respectfully submitted,

Pat Wojtas, Clerk of the Board of Selectman

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA
December 8, 2008

Town Offices
50 Billerica Rd.

7:00 p.m. Call to Order

Public Service Announcements

Open Session

Scheduled Business

7:30 p.m. Jessie's Place – Continuation of Public Hearing

7:45 p.m. Public Hearing – Community Development Strategy

7:55 p.m. Corner Cupboard – Change of Manager

8:00 p.m. Bicycle and Pedestrian Advisory Committee Update

8:30 p.m. Annual License Renewals

Town Manager Reports

BOS Meeting Minutes

- BOS Regular Meeting Minutes November 10, 2008
- BOS Executive Session Minutes November 10, 2008
- BOS Joint Meeting Minutes November 12, 2008
- BOS Work Session Minutes November 17, 2008

Unscheduled Business

- Discussion on December 11 Joint Meeting
- Café Madrid – Extension of Hours 12/31/08
- Country Club USA – Extension of Hours for 12/31/08
- Village Grille – Entertainment License

Selectman Referrals

Press Questions

Executive Session

Next Regular Meeting: January 5, 2009

*** **This meeting is televised.** ***

Town of Chelmsford
Board of Selectmen Minutes
50 Billerica Rd., Room 204
Chelmsford, MA 01824

December 8, 2008
Regular Meeting

Attending:
Phillip M. Eliopoulos, Chairman
Clare Jeannotte, Vice Chairman
Patricia Wojtas, Selectmen Clerk
Eric Dahlberg, Selectman
William F. Dalton, Selectman
Paul Cohen, Town Manager

7:10PM
Chairman Eliopoulos called the meeting to order.

Open Session

1) Lois Tabaczynski, 189 Littleton Rd, Unit 110, wished to thank Mr. Cohen and Chief Murphy for their efforts in resolving her complaint against Christopher's Towing. She has requested dispatch records and has received a written letter from Chief Murphy. She has not received the dispatch records. She is not satisfied with the results of the investigation, and will continue to pursue this further.

2) Raymond McCusker, former Chief of Police, came forward on behalf of the Chelmsford Police Foundation's Board of Directors to raise concern over possible further cutbacks in the fiscal year 2009 Town Budget. His Board feels current police levels are already too low for a town of this size, and proactive policing is not able to take place. He recalled seeing other recessions where layoffs occurred at the same time there were increases in various crimes such as breaking and entering to homes, cars and businesses, larceny, robbery and domestic violence. He's also seen more injuries to officers at these times. Chairman Eliopoulos noted that last year saw cuts across the board, and a failed override. The state of the economy dictates that everyone "run lean" until times improve. Selectman Dalton noted the Fire Department is facing the same situation, and they have an increased exposure due to more people heating their homes with wood and pellet stoves due to the rising cost of fuels. Mr. Cohen acknowledged a potential 5-10% cut in State aid, which makes budgeting very difficult, as there are certain functions that cannot be cut. The town needs their police and fire departments, school needs are changing, and the town still requires collections, accounting and maintenance functions. Buildings have been closed, the library may lose its accreditation, insurance and retiree costs must be funded, among other things. He is open to suggestions, and hopes for a strong turnout from State representatives, Union representatives and the Public at Thursday's Budget meeting.

Jessie's Place-Public Hearing, All Alcohol License, Continuation

Atty. Doug Hausler spoke for the applicant. The applicant was present to answer questions. TIPS certification and CORI forms have all been completed. Atty. Hausler confirmed Question 14 of the application has been corrected. Selectman Dalton asked if the Town would be liable if a

customer of Jessie's was hurt while trying to cross the street. Atty. Hausler stated that the Town would not be liable. It was noted that Common Victualers licenses have previously been granted at this location with no issues. Chairman Eliopoulos would prefer to have more input from Traffic and Safety.

> **Motion:** By Selectman Jeannotte to approve an All Alcoholic Restaurant License for Jessie's Place with continuation of the same hours of operation and seating capacity. Seconded by Selectman Wojtas, Motion passed, 4-1: Selectmen Dalton, Jeannotte, Dahlberg, and Wojtas in Favor; Chairman Eliopoulos Opposed.

Public Hearing-Community Development Strategy

Evan Belansky spoke about a Community Development Block Grant, which would be administered by the Massachusetts Department of Housing and Community Development. The goal is to provide grant funding for low and moderate income home owners. The program is now ready for public input. They have gathered input from the housing authority, senior welfare groups, CTI and similar programs. They have been able to establish priorities, target areas, and a housing action plan. A Public Information session is planned for January, 2009, in which they would like to confirm community interest and need. The application is due on February 13, 2009. They would like to be ready to start taking applications in March, 2009.

Grant money can be used for addressing health and safety violations, code violations, maintenance deficiencies, and modifications for elderly or handicapped residents. Aid will be granted in amounts up to $30,000.00. Depending on the amount and type of funding, it may be treated as a grant (no repayment), or a soft loan, with payback due, on a sliding scale, only if the house is sold within 15 years. Income limits are based on 2008 HUD guidelines. This will be a competitive application process, with the potential for matching CPC funds in certain cases. The application is being submitted jointly with the Town of Billerica.

Audience Comments:

Don Kaplan, 189 Littleton Rd., asked if there were any guidelines in place to remove people from the program, for instance, if they no longer qualified for the grant after it was awarded. He was informed that this was not like homebuyers assistance programs, as the people already owned the homes. Mr. Cohen noted that the grant would be listed at the Registry of Deeds, so if the home were to be sold within the payback period, the grant is paid off from the proceeds of the sale. Work would be done by certified contractors, and inspected. A grant administrator reviews applications for accuracy, and monitors progress of the work being done.

Corner Cupboard-Change of Manager

Manager is changing from Jyotsna V. Patel, to Vipul Patel.

> **Motion:** By Selectman Jeannotte to approve change of Manager of the Corner Cupboard Convenience Store to Vipul Patel, pending CORI results. Seconded by Selectman Wojtas. Chairman Eliopoulos abstained, all others in favor.

Bicycle and Pedestrian Advisory Committee Update

Cynthia McLain spoke on behalf of the Committee. This 9 member group has been meeting since July, 2008, and discussions have focused on Safety Education, Community Outreach, working on a Safe Routes to School Program, and funding efforts. They have provided input to town and regional planning groups, town engineering, and interacted with citizens. They have had discussions with groups in Lowell who would like to revitalize abandoned rail tracks in that city. Courtney Croteau, Mass Rides coordinator, spoke about the Safe Routes to School program, to encourage children to walk or ride bicycles to school. They work with schools on safety issues, and towns on infrastructure issues. Mr. Cohen acknowledged working on plans to increase sidewalks around schools to accommodate the increasing number of students that are walking or biking to school.

Annual License Renewals

Ralph Hickey, ADA Coordinator, 31 Littleton Rd., spoke regarding handicap accessibility issues at Jones Farm. He has spoken with Mr. Jones on the status of installing a handicapped restroom for his café. He is aware a plumbing permit has been pulled. He stressed to Mr. Jones the need to comply with ADA mandates, and noted that a ramp has been installed. Mr. Hickey is comfortable granting another extension until April 15, 2009 for the completion of the bathroom.

> **Motion:** By Selectman Jeannotte to approve the renewal of a common Victualers license to Jones Farm until April 15, 2009. Upon receiving evidence of work completed for compliance with the handicapped restroom, the license will be extended through December 31, 2009. Compliance will be verified through the Building Inspector and Mr. Hickey's inspection. Seconded by Selectman Wojtas. Motion passed unanimously.

Mr. Hickey also noted Moonstones Restaurant is lacking a handrail, does not have proper signage on the rest room doors, requires a lever handle on at least one door, and handicapped parking spaces do not have proper signage. They were notified of these requirements prior to opening for business.

Renewal of the Entertainment License for The Big Kahuna for outdoor entertainment has been continued until January 5, 2009, since requested paperwork has not been received.

Please see attached list for all other applicants' license renewals. Summary of motions is included in the minutes.

> **Motion:** By Selectman Jeannotte to approve Automatic Amusement License for 1 applicant. Seconded by Selectman Wojtas. Unanimous.
>
> **Motion:** By Selectman Jeannotte to approve All Alcohol Club Licenses for 2 applicants. Seconded by Selectman Wojtas. Unanimous.
>
> **Motion:** By Selectman Jeannotte to approve All Alcohol Innholders License for 2 applicants, subject to conditions where noted. Seconded by Selectman Wojtas. Unanimous.

Motion: By Selectman Jeannotte to approve Beer and Wine Restaurant Licenses for 10 applicants, subject to conditions where noted. Seconded by Selectman Wojtas. Abstention by Chairman Eliopoulos on Café Madrid, all others in Favor.

Motion: By Selectman Jeannotte to approve All Alcohol Restaurant licenses for 23 applicants, subject to conditions where noted. Seconded by Selectman Wojtas. Unanimous.

Motion: By Selectman Jeannotte to approve All Alcohol Package Store Licenses for 7 applicants, subject to conditions as noted, addition of CORI approval for Corner Cupboard. Seconded by Selectman Wojtas. Abstention by Chairman Eliopoulos on Corner Cupboard, all others in Favor.

Motion: By Selectman Jeannotte to approve Auto Dealer Licenses for 2 Class 1 and 27 Class 2 Auto Dealers, subject to conditions where noted. Seconded by Selectman Wojtas. Unanimous.

Motion: By Selectman Jeannotte to approve Common Victualer Licenses for 47 applicants, subject to conditions where noted. See separate motion for Jones Farm. Seconded by Selectman Wojtas. Abstention by Chairman Eliopoulos on Zesty Pizza, all others in Favor. Mr. Cohen to follow up on Moonstones Restaurant.

Town Manager Reports

1) Mr. Cohen requested that anyone who is interested in applying for a position on the Commission of Disabilities to contact him.

2) Mr. Cohen received a notification from John Chemaly, owner of Trinity Ambulance, reporting an increase in EMS rates of 4%.

3) Mr. Cohen announced that Citizen Petition submissions for Town Warrant articles for the Spring Town Meeting must be received by 5PM on January 5, 2009.

4) Mr. Cohen noted that the State Legislature will soon be considering possible methods to provide local relief, such as allowing local option taxes, closing the telecommunications tax loopholes, empowering cities and towns to modernize their health insurance plans outside of collective bargaining and modifying charter school funding. Chairman Eliopoulos asked that this item be added to the next work session agenda, in order to draft a letter to our legislative delegation.

5) Chairman Eliopoulos asked to make the Committee on Redistricting an agenda item for the next work session.

6) Mr. Cohen provided information in regard to a new Blue Cross/Blue Shield Program that mirrors the GIC program. He reported that he is meeting with representatives from other towns to see how they are working through their issues, and to discuss and research potential for a healthcare consortium amongst their towns.

7) Mr. Cohen announced there is an opening for the Planning Board Alternate member. The Planning Board would like to make this appointment at the Board of Selectmen January 26, 2009 meeting.

8) Mr. Cohen received notice from Leo Sullivan of L1 Solutions that the company will not be able to relocate to Chelmsford, due to market conditions. The company was to occupy 250 Apollo Drive. The company had previously negotiated a TIF agreement, which is now unworkable.

9) Mr. Cohen received an update from Peter Epstein, who has been negotiating with Verizon on their license for FiOS. They should be ready for a public hearing in January and contracts are being drafted.

10) Mr. Cohen and Selectman Wojtas went to a Billerica ZBA public hearing of Aspen Apartments, the proposed 40B project off of Rangeway Rd. The 672 unit development would fulfill Billerica's 40B housing requirement for the next 12 years. It consists of 14 buildings, each with 48 units, 4 stories high. Approximately half of the development is very close to Chelmsford residents on State St. and Bishop St. A site walk has been scheduled for December 11, 2008 at 1PM. Nitch Engineering has been retained to perform peer review. The applicant is proposing traffic improvements, and a one mile tie in to the sewer system. The hearing has been continued until January 21, 2008. Chelmsford's Town Counsel is working to determine what rights the Town of Chelmsford may have in regard to this project.

11) Mr. Cohen wished to thank all the volunteers who helped with the tree lighting ceremony.

12) In closing, Mr. Cohen wished the community a happy and healthy holiday season.

BOS Meeting Minutes

Motion: By Selectman Jeannotte to approve the regular meeting minutes of November 10, 2008, with a change to Page 3, on The Tax Classification hearing, paragraph 1 should read a 36% return on the expense and income data reports. Seconded by Selectman Wojtas. Unanimous.

Motion: By Selectman Jeannotte to approve the Executive Session minutes from November 10, 2008, as presented. Seconded by Selectman Wojtas. Unanimous.

Motion: By Selectman Jeannotte to approve the Joint Meeting Minutes of November 12, 2008, as presented. Seconded by Selectman Wojtas. Unanimous.

Motion: By Selectman Jeannotte to approve the Work Session minutes of November 17, 2008 as presented. Seconded by Selectman Wojtas. Unanimous.

Café Madrid, Extension of Hours on December 31, 2008

Motion: By Selectman Jeannotte to extend business hours on December 31, 2008 until 1AM on January 1, 2009 for Café Madrid. Seconded by Selectman Wojtas. Unanimous.

Country Club USA, Extension of Hours on December 31, 2008

Motion: By Selectman Jeannotte to extend business hours on December 31, 2008 until 1AM on January 1, 2009 for Country Club, USA. Seconded by Selectman Wojtas. Unanimous.

Village Grille, Entertainment License

Motion: By Selectman Jeannotte to approve an indoor entertainment license for the Village Grille. Seconded by Selectman Wojtas. Unanimous.

Discussion on December 11, 2008 Joint Meeting

Mr. Cohen announced that the public is invited to attend this meeting. He has asked the Town Accountant to present an up-to-date budget report, and present information on historical data for Town services over the last five years. He will discuss staffing levels, the changing revenue picture, demand of services vs. receipts, health insurance, pension requirements, and some alternatives he would like to consider.

He would then like to hear from Dr. Yeoman on how he will address what the schools are confronted with, including SPED cost increases, step increases, and other issues.

He will open up the meeting for discussion. He noted the Governor's budget is due by the end of January, and nothing is definite. Information from the state level has been very vague. Selectman Dalton stressed that some things cannot be cut from Police, Fire and Education. Selectman Jeannotte would like to see how certain cuts would affect certain programs. Mr. Cohen stressed the need to avoid what people perceive to be scare tactics. He has requested all departments give him the minimum levels they need to function in case he is required to prepare for a worst case scenario.

The meeting will be held on December 11, 2008, at 7PM, at the Chelmsford Senior Center.

Selectmen Referrals

Selectman Dalton:
1) Asked if the projection screen in the meeting room could be moved so that TV viewers could see it more easily.

2) Asked about regular inspections of Package stores. He noted that the Selectmen conducted these inspections years ago, and suggested they may want to consider doing it again.

3) Questioned why he wasn't informed of the letter written by Chairman Eliopoulos and Selectmen Dahlberg to the Lowell Sun. Chairman Eliopoulos explained that he and Selectman Dahlberg were responding to a letter that singled them out, and they wanted to respond personally.

Selectman Wojtas:

1) Congratulations to the Chelmsford High football team for a victory on Thanksgiving Day.

2) She reported on the opening of the renovated library at the High School, and noted publicity in the Boston Globe and from representatives at several universities.

Selectman Jeannotte:

1) There was beautiful weather for the Thanksgiving Forest walk in November.

2) She met with Mr. Cohen and Mary Frantz for a preliminary budget session. They are planning on meeting again.

3) A recent School Committee meeting noted the favorable review of the superintendent's evaluation, and highlighted how schools are working on ways to improve delivery to students.

4) She requested an agenda item for the work session for recognizing volunteer efforts.

5) Congratulations to the Chelmsford High Girls Swim Team for winning the State Championship.

6) She will get more information from Neil Hanson about the Chelmsford Hockey Association.

Selectman Dahlberg: No referrals.

Selectman Eliopoulos: No referrals.

Press Questions

David Golann, from the Chelmsford Independent, verified some information about Ray McCusker's name and position. He asked if Mr. Cohen had made any decisions on priorities on cuts to quality of life issues. Mr. Cohen explained he had not decided anything, however he needed to consider effects to the Senior Center, the libraries, and Community Education.

Adjournment

> **Motion:** By Selectman Jeannotte to adjourn at 10:25PM. Seconded by Selectman Wojtas. Unanimous.

Respectfully Submitted,

Vivian Merrill
Recording Secretary

LICENSE RENEWALS – DECEMBER 8, 2008 BOS MEETING

Automatic Amusement License:

DePalma Lanes

All Alcohol Club Licenses:

The American Legion

Chelmsford Lodge of Elks

All Alcohol Innholders Licenses:

Chelmsford Hotel Company

PKS Realty, Inc. d//b/a Best Western - Contingent upon payment of outstanding taxes and joint inspection.

Beer & Wine Restaurant Licenses:

Amici's Trattoria

Café Madrid

Chelmsford House of Pizza: Contingent upon an updated Certificate of Insurance

Evzon

Infusions Bistro

Jimmy's Pizza, Subs and Seafood: Contingent upon a joint inspection from the Fire Dept. and Building Dept. and posting of ABCC signs.

Khoo & Ng Corp. (Sakura Japanese Cuisine)

Sals' Pizza

Tango Grill

Yoong Tong II Thai Restaurant

All Alcohol Restaurant Licenses for:

Applebee's Neighborhood Grill and Bar

Bainbridges: Contingent upon an updated TIPS certification.

Bertucci's Restaurant Corp.

Country Club, Too, Inc.

Feng Shui Asian Cuisine: Contingent upon posting of ABCC signs, posted license and a written policy for employee responsibility.

Fish Shops, Inc.

Garlic and Pepper Bistro: Contingent upon a joint inspection by the Fire Dept. and Building Dept.

Glenview Lounge and Pub

Hong & Kong

India Palace: Contingent upon an updated TIPS certification.

Kastore Restaurant

Moonstones: Contingent upon posting of ABCC signs.

Omega Pizza

Princeton Station: Contingent upon posting of ABCC signs.

Skip's Restaurant: Motion not to renew – business closed

Sterling Golf Management

Sichuan Palace: Contignent upon a written policy for employee responsibility.

Szechaun Chef Restaurant

Thai Jasmine

The Java Room

The Village Grill: Contingent upon an updated certificate of Insurance

Vincenzo's Restaurant

All Alcohol Package Store Licenses:

DJVP Ram Corp. (The Corner Cupboard) Contingent upon an updated BAT certification.

Drum Hill Liquor Mart

Harrington Wine & Liquors

Sam's Liquors

The Wine Rack

Vrouhas, Inc; (Highway Farm Market) - Contingent upon an updated BAT certification

Westlands Package Store

Class I Auto Dealers

J.P. Rivard Trailer Sales

Route 3A Motors

Class II Auto Dealers

A1 Auto Body Company: Contingent upon an updated Bond, updated Certificate of Insurance, and payment of outstanding taxes.

A + Auto Body Repair

Beantown Motors

Bodyworks Auto Body

Bosco Automotive Services

Chadwick-BaRoss, Inc.

Chelmsford Auto Sales, Inc.

Chelmsford United Auto Group

Duffy's Auto Co., Inc

Ferreira Wrecker Sales

G&G Auto

Jim Gervais Sales, Inc

KMH Motors

Landry's Automotive:

M&M Towing

McGovern Automotive

Merrimack Auto Sales, Inc.

Morton Jaguar Service, Inc.

Northeast Transmission Company: Contingent upon an updated certificate of Insurance

N.T.C. Automotive

Pleasant Auto Sales of Chelmsford

R & P Auto Sales (1 Oak Street) - Contingent upon an updated Certificate of Insurance.

R & P Automotive (117 Princeton Street)

Route 40 Equipment Sales

Silva's Garage

Stony Brook Auto Body

Winner's Circle Auto Sales, Inc.

Common Victualer Licenses:

Antonio's Pizza - Contingent upon providing an updated Certificate of Ins.

Boston Market Corp.

Brickhouse Pizza

Brothers Gourmet Pizzeria:

Burger King Restaurant: Contingent upon an updated Certificate of Insurance

Carvel & Cinnabon

Carven Catering Services

Catering by Dinner is Served

Chelmsford Shell Mart- Contingent upon providing an updated Certificate of Insurance.

Chelmsford Street Sunoco - Contingent up providing an updated Certificate of Ins.

China Mountain Restaurant

Country Club USA

D'Angelo's Sandwich Shop

Domino's Pizza

Dunkin Donuts – Acton Road

Dunkin Donuts – Chelmsford Street

Dunkin Donuts – Drum Hill Road

Dunkin Donuts – Tyngsboro Road

Einstein Brothers Bagels

Fresh Chow Restaurant:

Friendly Ice Cream Corp.

Gary's Ice Cream

Jessie's Place

Kate's Corner

L'il Peach

Market Basket

Miller's Variety Store - Contingent upon payment of outstanding taxes and an updated Certificate of Insurance

Mr. Convenience

Panera Bread: Contingent upon an updated Certificate of Insurance

Papa Gino's

Papa John's

Papa Maggio

Quiznos Sub

Rosie's Diner: Contingent upon an updated Certificate of Insurance.

Shop & Save (Hannaford)

Starbucks Coffee Company: Contingent upon an updated Certificate of Insurance.

Stop & Shop Supermarket

Subway – Chelmsford Street

Subway - Parkhurst Road:

Sully's Ice Cream: Contingent upon an updated Certificate of Insurance

The Pizza Place

Three Sister Deli

Timbo's

Two Boys Bakery

Village Square Convenience Store

Zesty Pizza

APPROVED 1/5/2009

TOWN OF CHELMSFORD
BOARD OF SELECTMEN MINUTES
Thursday, December 11, 2008
Senior Center
75 Groton Rd, North Chelmsford

Attending:
Philip Eliopoulos, Selectman Chairman
Clare Jeannotte, Selectman Vice Chairman
Patricia Wojtas, Selectman Clerk
William Dalton, Selectman
Eric Dahlberg, Selectman
Paul Cohen, Town Manager
John Sousa, Town Treasurer
Darlene Lussier, Town Accountant

7:00pm
Chairman Eliopoulos called the meeting to order, jointly with the School Committee and Finance Committee.

School Committee members present were: Kathy Duffett, Angelo Taranto, Evelyn Thoren, and Kevin Porter.

Finance Committee members present were: Chairman Mary Frantz, Dwight Hayward, Donald Van Dyne, Dave Turocy, Jon Kurland, and Vincent Villano.

Also present were School Superintendent Donald Yeoman, Assistant Superintendent Karen Mazza, and Business Manager Robert Cruickshank.

Budget Update
Ms. Lussier reviewed the status of receipts for Fiscal Year 2009, with approximately five months having passed. She noted that, as was the case reported last month, local receipts are below what was anticipated. They should currently be near 42% of what was budgeted, but are only at 27%. Ms. Lussier reported that expenses are running near the expected level. She noted that all department heads are aware of the Town's fiscal concerns, and are monitoring overtime and other expense items carefully.

Mr. Cohen reviewed the revenue sources available for budgeting purposes, and the expectations for each. He noted that his forecasts are based on past experience, and are not worst-case scenarios. He reported that all departments should expect no better than a level dollar budget amount for Fiscal year 2010.

Mr. Sousa reviewed budgets and staffing for each department, using historical data from Fiscal Year 2004 through the current year, and possible projections for the next fiscal year. He also reviewed notable 'budget busters': health insurance, retirement contributions, and special education tuitions. His analysis showed a projected shortfall of approximately three million dollars.

Mr. Cohen presented some possible actions that may be required to balance the budget. These include reduction in services, modifying the employee health insurance benefits, and identifying additional revenue sources. He noted that the Town will have a more accurate picture for budgeting purposes by the end of January, when the governor presents his Fiscal Year 2010 budget, and motor vehicle excise tax commitments are released. In addition, health insurance rates should be available in February.

Dr. Yeoman addressed the impacts that a potential budget shortfall will place on the school system. He noted cuts taken in the past several years and actions required to meet the continuing needs of the students. He reported that additional cuts will possibly require higher activity and transportation fees, larger class sizes, fewer programs offered, and reduction in the quality of education for all students.

In response to several questions regarding possible cost savings, Mr. Cohen reported that he will be presenting an alternative Blue Cross insurance plan to the employee union officials, he is investigating the potential to regionalize some local services, and is evaluating other options that may save expenses.

State Senator Susan Fargo reported that Chapter 70 reform is in progress in the legislature. She noted that investment in schools is critical, and that the Town of Chelmsford has been in the forefront regarding best use of limited resources for school building purposes. She also stated that there is a good chance that the legislature will approve the ability for municipalities to invoke local option taxes. She suggested that there may be additional 9C cuts in the current fiscal year.

State Representative Thomas Golden reported that the Speaker is reviewing local option taxes, as well as a possible increase in the gasoline tax. He noted that an upcoming federal stimulus package may provide revenue for the State. He stated that cuts must be made, and that his goal is to maintain consistency in those cuts.

Ms. Thoren asked if School Building Assistance funds will still be available. Representative Golden responded he expects that those funds will be held harmless, so any anticipated reimbursements should still be forthcoming.

The next meeting was scheduled for Thursday, January 29, 2009 at 7:00pm in the Senior Center.

Adjournment

> **Motion:** Selectman Jeannotte made a motion to adjourn the joint meeting at 10:10pm. Mr. Turocy seconded the motion. Motion carried.

Respectfully submitted,

Pat Wojtas, Clerk of the Board of Selectman

CHELMSFORD BOARD OF SELECTMEN
Work Session Agenda
December 15, 2008

Town Offices
50 Billerica Rd.

5:30 p.m Call to Order

Scheduled Business

- Big Kahuna – Entertainment License Renewal
- Legislative Priorities
- Committee on Redistricting
- BOS/TM Goals

Town Manager Reports

-

Unscheduled Business

- Debriefing of Budget Meeting
- Review Status of Storm

Executive Session

Next Regular Meeting: January 5, 2009

Town of Chelmsford
Board of Selectmen Minutes
50 Billerica Rd., Room 204
Chelmsford, MA 01824

Work Session
December 15, 2008

Attending:
Phillip M. Eliopoulos, Chairman
Clare Jeannotte, Vice Chairman
Patricia Wojtas, Selectmen Clerk
William F. Dalton, Selectman
Eric Dahlberg, Selectman, arrived 5:55PM
Paul Cohen, Town Manager

5:45PM
Chairman Eliopoulos called the meeting to order.

License Approvals

Mr. Cohen requested approval of a 1 day beer and wine license for the Public Library on January 9, 2009.

> **Motion:** By Selectman Jeannotte to approve the 1 day beer and wine license for the Chelmsford Public Library for January 9, 2009 with the condition that a TIPS certified server be used. Seconded by Selectman Wojtas. Unanimous (4-0).

Mr. Cohen requested approval for a Common Victualers License for the Irving Station in North Chelmsford.

> **Motion:** By Selectman Jeannotte to approve a Common Victualers License for CK Smith & Co., Inc., DBA Irving Gas Station, 81 Tyngsboro Rd., No. Chelmsford. They will be open 24 hours a day. Seconded by Selectman Wojtas. Unanimous (4-0).

Audit Contract

Mr. Cohen received a proposal from Powers and Sullivan, the accounting firm that completed the Town Audit. The proposal is for Fiscal Years 2009, 2010, and 2011. The cost would be a flat fee of $48,000.00 per year, which represents a 2.2% increase over the contract that just ended. Mr. Cohen stated he has been pleased with their service over the last 3 years, and he feels the increase is reasonable. He would like to extend their contract by 2 years, instead of 3. He feels it is good to have different firms do the audits periodically to obtain different perspectives.

> **Motion:** By Selectman Jeannotte to appoint Powers and Sullivan to provide audit services as outlined in their letter of December 9, 2008 for the fiscal years 2009 and 2010, with the option for the Town to opt out after Fiscal Year 2010. Seconded by Selectman Wojtas. Unanimous.

Storm Update

Mr. Cohen gave an update on the ice storm emergency. As of 3:30PM, just under 4,000 accounts were still without power. Trees were still being cleared. In spite of the heavy wind today, no additional damage was reported. He stated that National Grid's priorities are sometimes not the same as the Town's priorities. It is in National Grid's best interests to get as many people restored as quickly as possible, since if the meters aren't running, they aren't making money. Hence, they tend to work on the major lines first, feeder lines second, and side tap lines third. They were delayed by the number of roads that were blocked by fallen trees. After four days, frustrated residents have been taking matters into their own hands, and cutting up trees in roads with downed lines still in them. Even today, there are still 8-10 roads which are blocked. School has been cancelled for Tuesday, as it is not safe in all areas for buses to pass, or children to walk. The shelter at the Senior Center was closed on Sunday, due to lack of people using the facility. The regional shelter in Lowell was closed at 5:30PM today, for the same reason.

Community Tree on Billerica Rd. will be open on Saturday for brush drop-off, any quantity, nothing longer than 8 feet. DPW has been excellent in responding by clearing roads. He has not been able to get approval from the state to allow burning. There was a lot of concern by the Board of Health and the DPW because the water and sewer pumps could not work. Pressure was reduced, and the generator on Katrina Rd. was able to function. People have had water issues as their sump pumps can't work without power. Many did not have generators. The Town experienced no major injuries, no deaths, there was not a huge demand for shelter, and no town facilities were damaged. The biggest issue involved carbon monoxide problems from people running generators in their homes. Chief Murphy was able to get phone messages out. People that relied on cable or digital phone services had no phone service in many cases. The local Cable TV network was still able to broadcast from the Parker Middle School. Some areas, mostly in North Chelmsford, were not majorly impacted by power outages. All Fire stations were opened to respond to emergency calls. Mr. Cohen feels people went over and above to do what was necessary to recover from the storm. He feels this storm is a learning experience, and people will be better prepared to deal with the next event.

Tri-board Meeting recap

Mr. Cohen discussed Thursday night's presentation at the Senior Center in regard to the budget. He has not gotten much feedback yet. State and Union representatives were present. John Souza did an excellent presentation. Darlene Lussier, the Town Accountant was very concise. He feels the School Department could have given information as to what they could cut or change, but they offered nothing specific. Mr. Cohen listed some areas that could be affected such as the libraries, senior center, and life guards. He still has not received anything substantial from the State. The third budget meeting will take place on January 29, 2009. Dr. Yeoman has not released his proposed budget. Mr. Cohen would like this as soon as possible in order to determine what they need. Selectman Jeannotte advised against going into the stabilization fund unless absolutely necessary. She surmised the school department may be more focused on union negotiations than the budget, as they are aware their share of the deficit will be about 2 million dollars. The Unions may force arbitration/mediation. The Town is in a tough position for collaborative negotiation, as they have nothing to offer. Mr. Cohen has determined he cannot run the Fire Department with fewer than 8 men and 1 captain per shift. And he cannot run the Police Department with less than 4 cruisers per shift. He will discuss with them about reducing overtime. There is the potential that 2 more fire stations will be closed. He realizes the school system needs more money, but where they use the lion's share of the budget, they will also feel

the lion's share of the cuts. Lottery and excise revenue is decreasing and state aid is decreasing. There are also the issues surrounding health care costs and pension funding.

Legislative Communication

The Board discussed letters to be sent to the Towns' legislative delegation. Selectman Wojtas noted that several representatives suggested that a laundry list type letter is not as effective as targeted letters. When lobbying for town services and aid, one issue per letter seems to work best. Selectman Wojtas agreed to draft a letter regarding local option taxes, removing the tax exemption for telecommunication equipment, and implementing GIC, for the Board's review.

The Big Kahuna Update

Mr. Cohen reported that The Big Kahuna has still not submitted any licensing paperwork to date.

Kingston CPC Letter

A letter from the Kingston Board of Selectmen was circulated among Board members advocating the addition of green initiatives to the list of eligible activities funded by CPC funds.

DPW/FD Facilities Update

Mr. Cohen presented a proposal to purchase the building at 9 Alpha Road for use as the new DPW building. Estimates to build a new DPW building are around $20-26 million, and this existing building is assessed at $4 million. Another $4 million would make the space suitable for the DPW. By relocating the DPW, it would help alleviate tensions between the DPW and the North Chelmsford Water District. There would be no residential abutters, and there is an unbuildable lot next to it. He would like to do this while the real estate market is down, and would use a debt exclusion to fund the project. He could ask Pat Maloney to give a presentation in January. Since the building has been vacant for 2 years, the Town could make an offer based on the assessed value, rather than fair market value.

Mr. Cohen also stated the estimated cost to build a new center Fire station is about $12 million. He is looking for estimates to re-stabilize the existing building instead.

Health Insurance update

Mr. Cohen provided comparative information on Health Care analysis with some cost data. He will obtain further cost information regarding prescription drug plans, hospital costs, and monthly premium total costs.

Adjournment

> **Motion:** By Selectman Jeannotte to adjourn at 7:55PM. Seconded by Selectman Wojtas. Unanimous.

Respectfully Submitted,

Vivian Merrill
Recording Secretary